

CITY OF MUSKEGON

CITY COMMISSION MEETING

MARCH 11, 2003

CITY COMMISSION CHAMBERS @ 5:30 P.M.

AGENDA

ROLL CALL:

CONSENT AGENDA:

- a. Approval of Minutes. CITY CLERK
- b. Request to Purchase Tax-Reverted Properties. PLANNING & ECONOMIC DEVELOPMENT
- c. Waiver for Special Events/Special Alcohol License Policy CITY MANAGER
- d. City/State MDOT – M46 Agreement. ENGINEERING
- e. Transportation Improvements Program Submittal for: 2004-2006 ENGINEERING
- f. Appointments to various Boards/Committees

PUBLIC HEARINGS:

- a. U. S. Environmental Protection Agency (USEPA) Final Grant Submittal. PLANNING & ECONOMIC DEVELOPMENT
- b. Transfer of IFT Certificate from Shoreline Metal Finishing to Great Lakes Metal Finishing. PLANNING & ECONOMIC DEVELOPMENT
- c. Recommendation for Annual Renewal of Liquor Licenses. CITY CLERK
- d. Create a Special Assessment District for Washington, Franklin to Lakeshore. ENGINEERING
- e. Create a Special Assessment District for Hackley, Hudson to Seaway. ENGINEERING
- f. DNR Grant Application LEISURE SERVICES

NEW BUSINESS:

- a. Park Terrace Easements. CITY MANAGER
- b. Archimedes Group Presentation to Commission
- c. Resolution for Recognition of Nonprofit COMMUNITY PROMOTION

2003-23a)

Date: March 11, 2003
To: Honorable Mayor and City Commissioners
From: Gail A. Kunding, City Clerk
RE: Approval of Minutes

SUMMARY OF REQUEST: To approve the minutes of the Special Commission Meetings that were held on February 13, February 20, and February 27; and the Regular Commission Meeting that was held on Tuesday, February 25, 2003.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approval of the minutes.

CITY OF MUSKEGON

CITY COMMISSION MEETING

MARCH 11, 2003

CITY COMMISSION CHAMBERS @ 5:30 P.M.

MINUTES

The Regular Commission Meeting of the City of Muskegon was held at City Hall, 933 Terrace Street, Muskegon, Michigan at 5:30pm, Tuesday, March 11, 2003.

Mayor Warmington opened the meeting with a prayer from Pastor Tom Jeffrey of Lakeside Assembly Church, after which members of the City Commission and members of the public joined in reciting the Pledge of Allegiance to the Flag.

ROLL CALL FOR THE REGULAR COMMISSION MEETING:

Present: Mayor Stephen Warmington, Vice Mayor Karen Buie; Commissioners Stephen Gawron, William Larson, Robert Schweifler, and Lawrence Spataro; City Manager Bryon Mazade, City Attorney John Schrier and City Clerk Gail Kunder. Excused: Commissioner Clara Shepherd.

2003-23 CONSENT AGENDA:

a. Approval of Minutes. CITY CLERK

SUMMARY OF REQUEST: To approve the minutes of the Special Commission Meetings that were held on February 13, February 20, and February 27; and the Regular Commission Meeting that was held on Tuesday, February 25, 2003.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approval of the minutes.

b. Request to Purchase Tax-Reverted Properties. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: Prior to 2002, the City was offered many State-owned vacant parcels for purchase for the price of \$300 for the first 5 lots and \$20 per lot thereafter. In 2000, the Planning Department didn't make a request to purchase any of the lots offered. Recently we have been receiving many inquiries for lots that were included on this list. In addition, 3 other unbuildable parcels have come to our attention as being State-owned, but not on the list from the year 2000 that we would like to purchase. Two of those lots are located in Area 10, which is the area slated for the \$1 lot program. We believe it is wise to purchase all these lots at once, in order to get the best price.

FINANCIAL IMPACT: The cost to purchase all 36 parcels would be \$920.

BUDGET ACTION REQUIRED: Expend the \$920 necessary to purchase these parcels.

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

COMMITTEE RECOMMENDATION: The Land Reutilization Committee recommended approval at their February 25, 2003 meeting.

**c. Waiver for Special Events/Special Alcohol License Policy CITY
MANAGER**

SUMMARY OF REQUEST: To approve a request of waiver of the Special Events/Special Alcohol License Policy from the Muskegon Summer Celebration. Muskegon Summer Celebration wants to serve pre-mixed beverages that include spirits. This is currently prohibited by the City's Special Events/Special Alcohol License Policy.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the request for the 2003 event only.

d. City/State MDOT - M46 Agreement. ENGINEERING

SUMMER OF REQUEST: To approve the contract with MDOT for the Milling & Resurfacing along with joint repairs on M-46 (Apple) from US-31BR to Home St. which is within the City Limits. And to approve the resolution authorizing the Mayor and City Clerk to sign the contract.

FINANCIAL IMPACT: While this is an MDOT project, we are required by Act 51 to participate in the improvements on any section of state trunk line that is within the corporate limits of the City at a rate of 11.25% of eligible cost. In this case, the eligible cost is \$51,600 and therefore, the City's share is \$5,800. The total actual estimated cost of the project is \$284,200.

BUDGET ACTION REQUIRED: None at this time. The City's share of the cost will come out of the Major Street Fund as was budgeted.

STAFF RECOMMENDATION: That the agreement and resolution be approved.

**e. Transportation Improvements Program Submittal for: 2004-2006
ENGINEERING**

SUMMARY OF REQUEST: To submit a list of projects to the West Michigan Shoreline Regional Development Commission for inclusion in the FY 2004 - 2006 Transportation Improvement Program. Projects submitted will be considered for Federal and State Transportation funding. Adoption of the resolution is required with as part of the submittal to commit the local match if project funding is granted.

FINANCIAL IMPACT: None. At this time, however, a local match will be required should we receive a grant for a particular project.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: To approve the project submittal and resolution.

f. Appointments to various Boards/Committees

SUMMARY OF REQUEST: To approve the recommended appointments to the following: Toya Davis to the Land Reutilization Committee and Stanley Schnepf to the Local Development Finance Authority.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Approve the appointments.

COMMITTEE RECOMMENDATION: Community Relations Committee recommended approval of the appointments.

Motion by Vice Mayor Buie, second by Commissioner Gawron to approve the Consent Agenda.

ROLL VOTE: Ayes: Gawron, Larson, Schweifler, Spataro, Warmington, Buie

Nays: None

Excused: Shepherd

MOTION PASSED

Item b. Archimedes Group Presentation to Commission was taken off New Business and Representative Dave Wendtland of 1399 Nelson, Muskegon presented the Commission a Petition to add an Ordinance to the City of Muskegon which would permit gaming in downtown area. The Petitions were accepted.

2003-24 PUBLIC HEARINGS:

a. U. S. Environmental Protection Agency (USEPA) Final Grant Submittal. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: The City of Muskegon has been invited by the USEPA to submit a final proposal for a Brownfield Assessment Grant. In December 2002, the City submitted an initial grant application to the EPA. As part of the final submittal, the EPA is requesting that the public be given an opportunity to provide feedback. For that reason, a public hearing is being held. In an effort to notify interested parties, the City requested that the Chamber of Commerce send out a "Fax Alert" to City of Muskegon businesses to notify them of the public hearing. The Chamber of Commerce agreed to assist us. In the "Alert", fax recipients were encouraged to contact City Staff if they had comments or questions.

FINANCIAL IMPACT: If approved, the City of Muskegon will receive up to \$200,000 in grant funds to assist in brown field redevelopment.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To hold a public hearing and to authorize staff to submit the final USEPA Brownfield Grant application; and, if approved, to accept the funding from the USEPA.

The Public Hearing opened at 5:42pm to hear any comments for the public. No comments were heard at that time.

Motion by Vice Mayor Buie, second by Commissioner Gawron to close the Public Hearing at 5:44pm and authorize staff to submit the final U.S. Environmental Protection Agency Brownfield Grant application; and if approved to accept the funding from the USEPA.

ROLL VOTE: Ayes: Larson, Schweifler, Spataro, Warmington, Buie, Gawron

Nays: None

Excused: Shepherd

MOTION PASSED

b. Transfer of IFT Certificate from Shoreline Metal Finishing to Great Lakes Metal Finishing. PLANNING & ECONOMIC DEVELOPMENT

SUMMARY OF REQUEST: To transfer the IFT currently held by Shoreline Metal Finishing to Great Lakes Metal Finishing. Shoreline Metal Finishing conducted metal finishing activities consisting of plating, buffing, deburring, etc. The same activities will occur at the existing site, but under new ownership.

FINANCIAL IMPACT: At this time there will be no financial impact because this is merely a transfer of an existing IFT.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the IFT transfer from Shoreline Metal Finishing to Great Lakes Metal Finishing.

The Public Hearing opened at 5:46pm to hear any comments for the public. Comments were heard from Diana Bench of Great Lakes Metal Finishing.

Motion by Commissioner Spataro, second by Commissioner Schweifler to close the Public Hearing at 5:50pm and to approve the transfer of the IFT currently held by Shoreline Metal Finishing to Great Lakes Metal Finishing.

ROLL VOTE: Ayes: Schweifler, Spataro, Warmington, Buie, Gawron, Larson

Nays: None

Excused: Shepherd

MOTION PASSED

c. Recommendation for Annual Renewal of Liquor Licenses. CITY CLERK

SUMMARY OF REQUEST: To adopt a resolution recommending non-renewal of those liquor license establishments who are in violation of Section 50-146 and 50-147 of the Code of Ordinance for the City of Muskegon. These establishments have been found to be in non-compliance with the City Code of Ordinances and renewal of their liquor licenses should not be recommended by the City Commission. If any of these establishments come into compliance by March 25, 2003, they will be removed from this resolution, and recommendation for their renewal will be forwarded to the Liquor Control Commission.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None

STAFF RECOMMENDATION: Adoption of the resolution.

The Public Hearing opened at 5:52pm to hear any comments for the public. No comments were heard at that time.

Motion by Commissioner Schweifler, second by Commissioner Larson to close the Public Hearing at 5:53pm and to adopt the resolution recommending non-renewal of license establishments who are in violation of Section 50-146 and 50-147 of the Code of Ordinance for the City of Muskegon and to approve those that come into compliance by March 25th be removed from the resolution and recommended for renewal.

ROLL VOTE: Ayes: Spataro, Warmington, Buie, Gawron, Larson, Schweifler

Nays: None

Excused: Shepherd

MOTION PASSED

d. Create a Special Assessment District for Washington, Franklin to Lakeshore. ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the proposed special assessment of the Washington, Franklin to Lakeshore Dr. 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 resolution.

The Public Hearing opened at 5:54pm to hear any comments for the public. No comments were heard at that time.

Motion by Commissioner Gawron, second by Commissioner Spataro to close the Public Hearing at 5:58pm and to approve the special assessment by adopting the resolution and assign Commissioners Gawron and Spataro to the Board.

ROLL VOTE: Ayes: Spataro, Warmington, Buie, Gawron, Larson, Schweifler

Nays: None

Excused: Shepherd

MOTION PASSED

e. Create a Special Assessment District for Hackley, Hudson to Seaway. ENGINEERING

SUMMARY OF REQUEST: To hold a public hearing on the proposed special assessment of the Hackley Ave., Hudson to Seaway Dr. 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 resolution.

The Public Hearing opened at 6:00pm to hear any comments for the public. Comments were heard from William Keeson of 2214 Crowley St., Norton Shores, Mi opposing the special assessment.

Motion by Commissioner Schweifler, second by Commissioner Spataro to close the Public Hearing at 6:11pm.

ROLL VOTE: Ayes: Warmington, Gawron, Schweifler, Spataro

Nays: Buie, Larson

Excused: Shepherd

MOTION PASSED

Motion by Commissioner Spataro, second by Commissioner Larson to not create a special assessment district for Hackley Ave., Hudson to Seaway Dr. and to direct City staff to find other areas to spend the money on.

ROLL VOTE: Ayes: Buie, Gawron, Larson, Schweifler, Spataro, Warmington

Nays: None

Excused: Shepherd

MOTION PASSED

f. DNR Grant Application LEISURE SERVICES

SUMMARY OF REQUEST: To authorize staff to submit grant applications to the DNR Trust Fund for the purchase of the Consumers Energy Property and to construct Phase I of the Lakeshore Trail.

FINANCIAL IMPACT: Consumer Energy Purchase - None.

Lakeshore Trail Construction - \$375,000

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve

COMMITTEE RECOMMENDATION: Leisure Services Board Recommends Approval.

Motion by Commissioner Larson, second by Commissioner Gawron, to authorize staff to submit grant applications to the DNR Trust Fund for the purchase of Consumers Energy Property and to construct Phase I of the Lakeshore Trail.

ROLL VOTE: Ayes: Gawron, Larson, Schweifler, Spataro, Warmington, Buie

Nays: None

Excused: Shepherd

MOTION PASSED

2003-25 NEW BUSINESS:

a. Park Terrace Easements. CITY MANAGER

SUMMARY OF REQUEST: To approve easement agreements for the Park Terrace Project.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To approve the easements.

Motion by Commissioner Larson, second by Vice Mayor Buie to approve the Easement Agreements for the Park Terrace Project.

ROLL VOTE: Ayes: Larson, Schweifler, Spataro, Warmington, Buie, Gawron

Nays: None

Excused: Shepherd

MOTION PASSED

b. Archimedes Group Presentation to Commission

This item was pulled off New Business and put on after Consent Agenda.

c. Resolution for Recognition of Nonprofit COMMUNITY PROMOTIONS

SUMMARY OF REQUEST: The Board of Community Promotions, Inc. is requesting that the Muskegon City Commission consider a resolution recognizing Community Promotions, Inc. as a nonprofit organization operating in the community. The purpose of the resolution is to obtain a Charitable Gaming License to hold a raffle. Proceeds from the raffle will help support the Summer Celebration fireworks program.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Approve.

Motion by Commissioner Spataro, second by Commissioner Gawron to approve the resolution for a Charitable Gaming License for Community Promotions, Inc.

ROLL VOTE: Ayes: Schweifler, Spataro, Warmington, Buie, Gawron, Larson

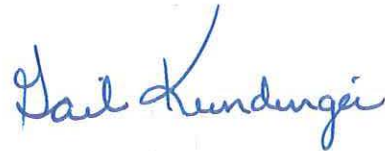
Nays: None

Excused: Shepherd

MOTION PASSED

The Regular Commission Meeting for the City of Muskegon was adjourned at 6:28PM.

Respectfully submitted,



Gail Kunderger, MMC

2003.23 b)

Commission Meeting Date: March 11, 2003

Date: March 5, 2003
To: Honorable Mayor and City Commissioners
From: Planning & Economic Development
RE: Request to Purchase Tax-Reverted Properties

SUMMARY OF REQUEST:

Prior to 2002, the City was offered many State-owned vacant parcels for purchase for the price of \$300 for the first 5 lots and \$20 per lot thereafter. In 2000, the Planning Department didn't make a request to purchase any of the lots offered. Recently we have been receiving many inquiries for lots that were included on this list. In addition, 3 other unbuildable parcels have come to our attention as being State-owned, but not on the list from the year 2000 that we would like to purchase. Two of those lots are located in Area 10, which is the area slated for the \$1 lot program. We believe it is wise to purchase all these lots at once, in order to get the best price. (See attached list.)

FINANCIAL IMPACT:

The cost to purchase all 36 parcels would be \$920.

BUDGET ACTION REQUIRED:

Expend the \$920 necessary to purchase these parcels.

STAFF RECOMMENDATION:

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

COMMITTEE RECOMMENDATION:

The Land Reutilization Committee recommended approval at their February 25, 2003 meeting.

MUSKEGON CITY COMMISSION

WHEREAS, Act 451, P. A. 1994, as amended, provides for the conveyance of State-owned tax-reverted lands to municipal units for public purposes; and

WHEREAS, such lands are under the jurisdiction of the State of Michigan, Department of Natural Resources and are available for acquisition under the provisions of the above mentioned act; and

WHEREAS, the legal descriptions of these parcels are attached; and

WHEREAS, the City of Muskegon desires to acquire such lands for purposes of residential developments;

NOW THEREFORE BE IT RESOLVED that the City of Muskegon is authorized to make application to the State of Michigan, Department of Natural Resources, Real Estate Division for conveyance of said land to the City of Muskegon for a nominal fee as set by the Natural Resources Commission; and

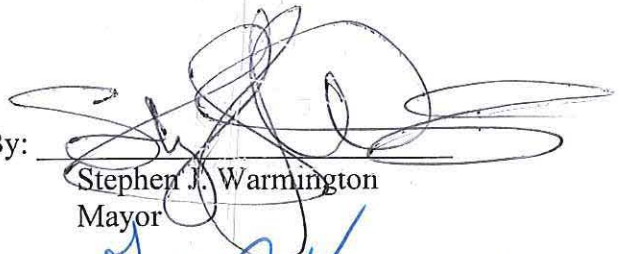
FURTHER BE IT RESOLVED that the City of Muskegon shall set up necessary procedures and controls to provide for the property distribution of funds arising from the subsequent sale of the acquired property in conformity with the above mentioned acts.

Adopted this 11th day of March, 2003

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

Nays: None

Absent: Shepherd

By: 

Stephen J. Warmington
Mayor

Attest: 

Gail A. Kunding, MMC
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 11, 2003.

By: 

Gail A. Kunding, MMC
Clerk

AGENDA ITEM NO. 2003-23(c)

CITY COMMISSION MEETING 3/11/03

TO: Honorable Mayor and City Commissioners
FROM: Bryon L. Mazade, City Manager
DATE: March 5, 2003
RE: Waiver for Special Events/Special Alcohol License Policy

SUMMARY OF REQUEST:

To approve a request of waiver of the Special Events/Special Alcohol License Policy from the Muskegon Summer Celebration. Muskegon Summer Celebration wants to serve pre-mixed beverages that include spirits. This is currently prohibited by the City's Special Events/Special Alcohol License Policy (attached).

FINANCIAL IMPACT:

None.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

To approve the request for the 2003 event only.

COMMITTEE RECOMMENDATION:

This request will be presented at the Work Session on March 10, 2003, for review and discussion by the City Commission.

**MUSKEGON
SUMMER
CELEBRATION**

March 4, 2003

Bryon Mazade, City Manager
C/o City of Muskegon
933 Terrace
Muskegon, MI 49440

Dear Bryon,

The Muskegon Summer Celebration respectfully requests a waiver from the ban on serving spirits at special events for our festival this year. In the Summer Celebration's continual efforts to provide a wide variety of beverage choices for our patrons, we have been working with Brown-Forman to explore serving frozen beverages mixed with Southern Comfort. We feel that what is important is not whether the alcohol is a spirit, wine, or malt beverage, but the alcohol content of the beverages. The frozen/slush drinks we are proposing would be 5% alcohol.

Our exact plan is as follows:

- We would sell three flavors of a slush/frozen drink each containing 5% alcohol (Southern Comfort). The flavors would be Pina Colada, Hurricane, and Mango. Each drink would be served as a 12 oz. portion.
- These drinks would only be available to the public at our new Tiki Bar located on the "Point" at the back of the concert venue.
- An outside company, Island Oasis, which provides the "mix" for the drink, will be responsible for combining their mix with the alcohol in an offset location away from the service area. We would NOT have any bottles of Southern Comfort at the service area, nor would any bartender have the ability to add "an extra kick" to the mixture.

The Summer Celebration is very concerned about our patrons drinking more than they can handle. We do not feel these beverages would provide a vehicle to increase a person's ability to over-imbibe. In fact we feel since the drink is a frozen drink, patrons we not be able to drink them at a rate that would enable them to be "over-served."

We appreciate the City's consideration of this request. I am available anytime to discuss concerns, answer questions, and attend any necessary meetings. Thank you.

Sincerely,



Joe Austin
Executive Director

cc: Tim Achterhoff, Chairperson

587 West Western Avenue • Muskegon, Michigan 49440
Phone (231) 722-6520 • Fax (231) 722-6112
www.summercelebration.com

CITY OF MUSKEGON

SPECIAL EVENTS/SPECIAL ALCOHOL LICENSE POLICY

INTRODUCTION

Throughout the year, the City of Muskegon is asked by various organizations to supply various Services for special events, including the approval of special liquor licenses. While the Police Chief must sign all alcohol-related requests, several other departments get involved in the process, including the Department of Leisure Services. This policy centralizes the administration of special liquor licenses and special events with the Department of Leisure Services and provides rules and regulations to govern both the granting of the special request and the on-site administration of the event. The final authority for signing the special liquor licenses, however, remains with the Police Chief.

In the best interest of the city, this policy allows for only one (1) special alcohol license for outdoor events on any given night in the City of Muskegon, unless a specific event needs more than one license. Licenses will only be granted for events sponsored by non-profit charitable or service organizations involving broad community support, and not for private profit-making activities. The following events are expected, under normal circumstances to have licenses granted annually.

- a. Memorial Day Spectacular
- b. Ten Parties-in-the-Park
- c. Summer Celebration
- d. Shoreline Spectacular
- e. Steak and Blues
- f. Up to two (four) additional beer tent days per month from Memorial Day to Labor Day
- g. Only three days per month for outdoor events after Labor Day and before Memorial Day and they must be on consecutive days.

PROCEDURE FOR REQUESTING A SPECIAL EVENT PERMIT

- I. All requests for a special permit shall be filed with the Department of Leisure Services at least sixty days prior to the event.
 - a. A twenty-five dollar (\$25.00) administration fee must accompany the request.
 - b. Failure to apply sixty days prior to the event is cause to deny the request
- II. The request for a special permit shall be in writing and must be submitted on the appropriate application form. Application for outdoor special liquor licenses shall be for beer and wine only.
- II. All special permittees agree to the following:

- a. While a Police Officer's presence may not be required at all special events, it shall be at the discretion of the Chief of Police as to whether or not, and how many, City Police Officers will be required at any special event. Event sponsors will be responsible for payment of officer(s) service based on the time-and-one-half or triple time established rate plus benefits and all overhead cost.
- b. For all alcohol-related events, the applicant will provide a system of Checking I.D.'s to prohibit underage drinking.
- c. Where the event is being held on City-owned or controlled property the applicant shall provide an amount of insurance as set by the City for liquor liability and general liability insurance, naming the City as an additional insured. An acceptable certificate of insurance must be submitted prior to approval.
- d. All outdoor events shall provide adequate restroom (port-o-jon) facilities including adequate handicapped accessible facilities.
- e. Hours of operation shall be posted in the beverage serving area.
- f. For alcohol events, the applicant shall agree to stop selling drink tickets at 10:30 P.M., stop pouring beverages at 11:00 P.M., and have the area cleared by 11:30 P.M.
- g. The applicant shall provide evidence and certification that the organization shall at all times have person's pouring beer or selling beverages that have received alcohol awareness training at every serving station. (The applicant shall provide evidence and certification to the City that all persons pouring beer or selling beverages have received alcohol awareness training.)
- h. Checking for underage drinking and over consumption of patrons is the responsibility of the sponsoring group, not the police.
- i. Where the event is held on city owned or controlled property, the Applicant shall be responsible for all clean up of city facilities after an event, and for providing a dumpster. If the event is on other property, the cleanup shall be the responsibility of the owner. The city shall have the right to enforce cleanup measures, including but not limited to entry and cleaning by city personnel and charging and liening the cost to the owner, occupant, or applicant or all of them.
- j. The applicant shall reimburse the city for all out-of-pocket expenses related to the set-up or clean up of the event, including overhead costs.
- k. Failure to comply with all city rules and regulations may result in the denial of future requests.
- l. Digging or staking on grounds will be cleared through Miss Dig. A minimum of a 3 working day notice is required. The sponsoring agency is responsible for contacting Miss Dig (1-800-482-7171), and paying for any damage of underground utilities created by digging or staking.

IV. HANDLING OF REQUESTS

- a. The Leisure Services Board, which meets on the third Monday of each month, shall review all requests for special permits, except as otherwise provided by this policy.
 1. Any indoor facility may need an inspection before approval can be granted.
 2. The Board shall approve, deny, or table all requests at the Board Meeting following the receipt of the request.
 3. That reviews by other departments shall be provided in copy form to the Leisure Services Board.
- b. Where the applicant proposes an indoor alcohol event occurring after Labor Day or before Memorial Day, it shall be reviewed by the staff and other departments of the City, and Leisure Services Board review shall not be necessary, unless City park or recreation facilities are proposed to be used for the event.
- c. Where the Leisure Services Board reviews an application and denies same, it shall state in writing the reasons for the denial. An appeal of that decision may be made to the City Commission whose decision shall be final.
- d. Where an existing Liquor Control Commission licensee applies for a special license, the review shall be made by the staff and other departments of the City as needed before the Police Chief's decision. Any moneys owed the City could be reason for denial.
- e. All requests that include road closings shall go the traffic Committee for review prior to final approval, denial, or tabling by the Leisure Services Board. The sponsoring agency will be responsible for all associated costs. The Traffic Committee meets monthly on the second Friday.
- f. Sales of all items for special events must be out of the public right-of-way. Street sales of newspapers, poppy's, etc. shall not be allowed except for those events that have existed before September 1, 1996, which will be allowed as long as they exist.

INSURANCE REQUIREMENTS

High degree of risk (H)	\$1,000,000
Medium degree of risk (M)	500,000
Low degree of risk (L)	100,000

Event minimum requirements:

Parties-in-the-Park	(H)	Parades	(L)
Carnivals	(H)	Block Parties	(L)
Organized Walks/Runs	(M)	Summer Celebration	(H)
Shoreline Spectacular	(H)	Winterfest	(M)
Corporate Cup Events	(L)	Fireworks	(H)
Bike Races	(M)	Alcohol licenses	(H)
Any event using City streets and/or sidewalks			(M)

2003-23 (d)

Date: March 11, 2003

To: Honorable Mayor and City Commissioners

From: Engineering

RE: City – MDOT Agreement for:
M-46 (Apple Ave.) from US-31BR to Home Street

SUMMARY OF REQUEST:

To approve the attached contract with MDOT for the Milling & Resurfacing along with joint repairs on M-46 (Apple) from US-31BR to Home St. which is within the City limits. And to approve the attached resolution authorizing the Mayor and City Clerk to sign the contract.

FINANCIAL IMPACT:

While this is an MDOT project, we are required by Act 51 to participate in the improvements on any section of state trunkline that is within the corporate limits of the City at a rate of 11.25% of eligible cost. In this case, the eligible cost is \$51,600 and therefore, the City's share is \$5,800. The total actual estimated cost of the project is \$284,200.

BUDGET ACTION REQUIRED:

None at this time. The City's share of the cost will come out of the Major Street Fund as was budgeted.

STAFF RECOMMENDATION:

That the attached agreement and resolution be approved.

COMMITTEE RECOMMENDATION:



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

GLORIA J. JEFF
DIRECTOR

February 26, 2003

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

RECEIVED
CITY OF MUSKEGON
MAR 03 2003

Dear Ms. Kunding:

ENGINEERING DEPT.

RE: MDOT Contract No.: 03-5029
Control Section: NH 61022
Job Number: 60429

Enclosed is the original and one copy of the above described contract between your organization and the Michigan Department of Transportation (MDOT). Please take time to read and understand this contract. If this contract meets with your approval, please complete the following checklist:

- ___ **Please do not date the contracts.** MDOT will date the contracts when they are executed. A contract is not executed unless it has been signed by both parties.
- ___ **Secure the necessary signatures on all contracts.**
- ___ **Include a certified resolution.** The resolution should specifically name the officials who are authorized to sign the contracts.
- ___ **Return all copies of the contracts to my attention of the Department's Design Division, 2nd floor for MDOT execution.**

A copy of the executed contract will be forwarded to you. If you have any questions, please feel free to contact me at (517) 335-2264.

Sincerely,

Jackie Burch
Contract Processing Specialist
Design Division

Enclosure

RESOLUTION 2003-23 (d)

RESOLUTION FOR APPROVAL OF A CONTRACT AGREEMENT BETWEEN THE MICHIGAN DEPARTMENT OF TRANSPORTATION AND THE CITY OF MUSKEGON FOR THE MILLING & RESURFACING, JOINT REPAIRS & DIAMOND GRINDING OF THE CONCRETE SECTIONS OF M-46 (APPLE AVE.) FROM US-31BR TO HOME STREET TOGETHER WITH NECESSARY RELATED WORK AND AUTHORIZATION FOR MAYOR STEPHEN J. WARMINGTON AND CITY CLERK GAIL A KUNDINGER TO EXECUTE SAID CONTRACT

Moved by Vice Mayor Buie and supported by

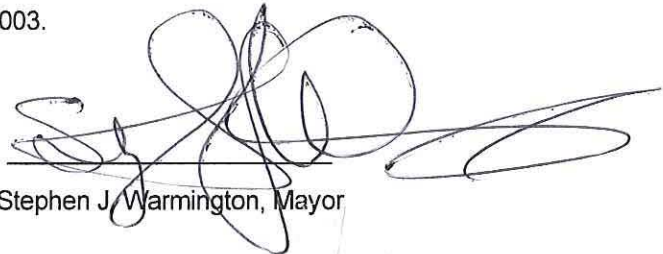
Commissioner Gawron that the following Resolution be adopted:

WHEREAS, entry by the City of Muskegon into Contract no. **03-5029** between the Michigan Department of Transportation and the City of Muskegon for the resurfacing & widening of the southbound exit ramp at US-31 and Sherman Blvd. within the City is in the best interests of the City of Muskegon.

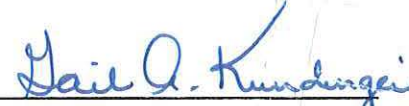
RESOLVED, that entry by the City into Contract Agreement Number **03-5029** be and the same is hereby authorized and approved and the Mayor and Clerk are authorized to execute said contract for and on behalf of the City of Muskegon.

Adopted this 11th day of March, 2003.

BY


Stephen J. Warmington, Mayor

ATTEST


Gail A. Kunderger, City Clerk

CERTIFICATION

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

CITY OF MUSKEGON

By


Gail A. Kunderger, Clerk



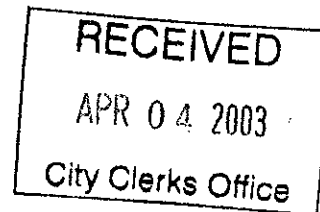
JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF TRANSPORTATION
LANSING

GLORIA J. JEFF
DIRECTOR

April 2, 2003

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



Dear Ms. Kunding:

RE: MDOT Contract Number: 03-5029
Control Section: NH 61022
Job Number: 60429

Enclosed is a fully executed copy of the above noted agreement.

Sincerely,

Jackie Burch
Contract Processing Specialist
Design Division

Enclosure

cc: T. Judge, Muskegon TSC
A. Christensen, Financial Operations Division
Grand Region Engineer

cc: Engineering

RECEIVED
CITY OF MUSKEGON

MAR 03 2003

FEDERAL AID PROGRESS PAYMENT

DAB

Control Section

Job Number

Federal Item

Federal Project

Contract

NH 61022

60499

HH 3485

NH 0361(011)

03-5029

ENGINEERING DEPT.

THIS CONTRACT is made and entered into this date of APR 02 2003, by and between the MICHIGAN DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the "DEPARTMENT"; and the CITY OF MUSKEGON, a Michigan municipal corporation, hereinafter referred to as the "CITY"; for the purpose of fixing the rights and obligations of the parties in agreeing to construction improvements located within the corporate limits of the CITY.

WITNESSETH:

WHEREAS, the parties hereto anticipate that payments by them and contributions by agencies of the Federal Government or other sources will be sufficient to pay the cost of construction or reconstruction of that which is hereinafter referred to as the "PROJECT" and which is located and described as follows:

Coldmilling and resurfacing along Highway M-46 from Highway US-31BR easterly to Home Street; and which includes all necessary joint repair and diamond griding of the concrete pavement; together with necessary related work; located within the corporate limits of the CITY.

WHEREAS, the DEPARTMENT presently estimates the PROJECT COST as hereinafter defined in Section 1 to be: \$284,200

WHEREAS, the parties hereto have reached an understanding with each other regarding the performance of the PROJECT work and desire to set forth this understanding in the form of a written agreement.

NOW, THEREFORE, in consideration of the premises and of the mutual undertakings of the parties and in conformity with applicable law, it is agreed:

1. The CITY hereby consents to the designation of the PROJECT as a state trunkline highway. The parties shall undertake and complete the construction of the PROJECT as a state trunkline highway in accordance with this contract. The term "PROJECT COST", as herein used, is hereby defined as the cost of construction or reconstruction of the PROJECT including the costs of preliminary engineering, plans and specifications; acquisition costs of the property for rights of way, including interest on awards, attorney fees and court costs; physical construction necessary for

the completion of the PROJECT as determined by the DEPARTMENT; and engineering, legal, appraisal, financing, and any and all other expenses in connection with any of the above.

2. The cost of alteration, reconstruction and relocation, including plans therefor, of certain publicly owned facilities and utilities which may be required for the construction of the PROJECT, shall be included in the PROJECT COST; provided, however, that any part of such cost determined by the DEPARTMENT, prior to the commencement of the work, to constitute a betterment to such facility or utility, shall be borne wholly by the owner thereof.

3. The CITY shall make available to the PROJECT, at no cost, all lands required; therefore, now owned by it or under its control for purpose of completing said PROJECT. The CITY shall approve all plans and specifications to be used on that portion of this PROJECT that are within the right of way which is owned or controlled by the CITY. That portion of the PROJECT which lies within the right of way under the control or ownership by the CITY shall become part of the CITY facility upon completion and acceptance of the PROJECT and shall be maintained by the CITY in accordance with standard practice at no cost to the DEPARTMENT. The DEPARTMENT assumes no jurisdiction of CITY right of way before, during or after completion and acceptance of the PROJECT.

4. The parties will continue to make available, without cost, their sewer and drainage structures and facilities for the drainage of the PROJECT.

5. The PROJECT COST shall be met in part by contributions from agencies of the Federal Government. The balance of the PROJECT COST shall be charged to and paid by the DEPARTMENT and the CITY in the following proportions and in the manner and at the times hereinafter set forth:

DEPARTMENT -	88.75%
CITY -	11.25%

The PROJECT COST and the respective shares of the parties, after Federal-aid, is estimated to be as follows:

TOTAL ESTIMATED COST	FED AID	BALANCE AFTER FEDERAL AID	DEPT'S SHARE	CITY'S SHARE
\$284,200	\$232,600	\$51,600	\$45,800	\$5,800

Participation, if any, by the CITY in the acquisition of trunkline right-of-way shall be in accordance with 1951 P.A. 51 Subsection 1d, MCL 247.651d. An amount equivalent to the federal highway funds for acquisition of right-of-way, as would have been available if application had been made therefore and approved by the Federal government, shall be deducted from the total PROJECT COST prior to determining the CITY'S share. Such deduction will be established from the applicable Federal-Aid matching ratio current at the time of acquisition.

6. The DEPARTMENT shall maintain and keep accurate records and accounts relative to the cost of the PROJECT. The DEPARTMENT may submit progress billings to the CITY on a monthly basis for the CITY'S share of the cost of work performed to date, less all payments previously made by the CITY. No monthly billings of a lesser amount than \$1,000 shall be made unless it is a final or end of fiscal year billing. All billings will be labeled either "Progress Bill Number _____", or "Final Billing". Upon completion of the PROJECT, payment of all items of PROJECT COST and receipt of all Federal Aid, the DEPARTMENT shall make a final billing and accounting to the CITY.

7. In order to fulfill the obligations assumed by the CITY under the provisions of this contract, the CITY shall make prompt payments of its share of the PROJECT COST upon receipt of progress billings from the DEPARTMENT as herein provided. The CITY shall be billed for their share of the preliminary engineering costs upon award of the PROJECT. All payments will be made within 30 days of receipt of billings from the DEPARTMENT. Billings to the CITY will be based upon the CITY'S share of the actual costs incurred less Federal Aid earned as the work on the PROJECT progresses.

8. Pursuant to the authority granted by law, the CITY hereby irrevocably pledges a sufficient amount of funds received by it from the Michigan Transportation Fund to meet its required payments as specified herein.

9. If the CITY shall fail to make any of its required payments when due, as specified herein, the DEPARTMENT shall immediately notify the CITY and the State Treasurer of the State of Michigan or such other state officer or agency having charge and control over disbursement of the Michigan Transportation Fund, pursuant to law, of the fact of such default and the amount thereof, and, if such default is not cured by payment within ten (10) days, said State Treasurer or other state officer or agency is then authorized and directed to withhold from the first of such moneys thereafter allocated by law to the CITY from the Michigan transportation Fund sufficient moneys to remove the default, and to credit the CITY with payment thereof, and to notify the CITY in writing of such fact.

10. The DEPARTMENT shall secure from the Federal Government approval of plans, specifications, and such cost estimates as may be required for the completion of the PROJECT; and shall take all necessary steps to qualify for Federal Aid such costs of acquisition of rights of way, construction, and reconstruction, including cost of surveys, design, construction engineering, and inspection for the PROJECT as deemed appropriate. The DEPARTMENT may elect not to apply for Federal Aid for portions of the PROJECT COST.

11. This contract is not intended to increase or decrease either party's liability, or immunity from, tort claims.

12. All of the PROJECT work shall be done by the DEPARTMENT.

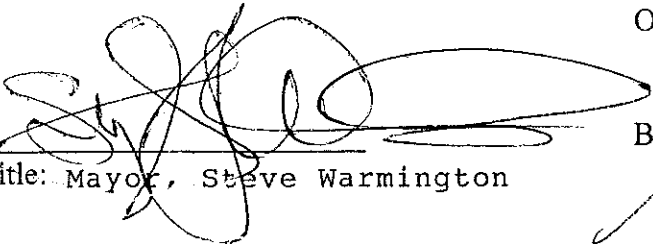
13. In connection with the performance of the PROJECT work under this contract the parties hereto (hereinafter in Appendix "A" referred to as the "contractor") agree to comply with the State of Michigan provisions for "Prohibition of Discrimination in State Contracts", as set forth in Appendix A, attached hereto and made a part hereof. The parties further covenant that they will comply with the Civil Rights Acts of 1964, being P.L. 88-352, 78 Stat. 241, as amended, being Title 42 U.S.C. Sections 1971, 1975a-1975d, and 2000a-2000h-6 and the Regulations of the United States Department of Transportation (49 C.F.R. Part 21) issued pursuant to said Act, including Appendix "B", attached hereto and made a part hereof, and will require similar covenants on the part of any contractor or subcontractor employed in the performance of this contract. The parties will carry out the applicable requirements of the DEPARTMENT'S Disadvantaged Business Enterprise (DBE) program and 49 CFR, Part 26, including, but not limited to, those requirements set forth in Appendix C.

14. This contract shall become binding on the parties hereto and of full force and effect upon the signing thereof by the duly authorized officials for the CITY and for the DEPARTMENT; upon the adoption of a resolution approving said contract and authorizing the signatures thereto of the respective officials of the CITY, a certified copy of which resolution shall be attached to this contract; and with approval by the State Administrative Board.

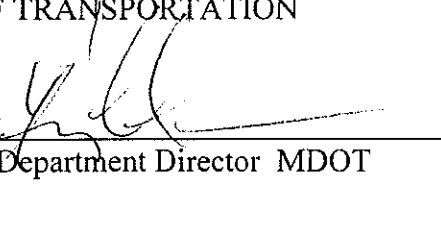
IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed the day and year first above written.

CITY OF MUSKEGON

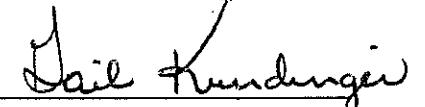
MICHIGAN DEPARTMENT
OF TRANSPORTATION

By 

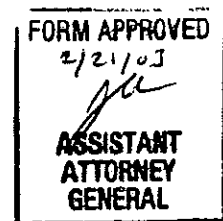
Title: Mayor, Steve Warmington

By 

Department Director MDOT

By 

Title: City Clerk, Gail Kundinger



APPENDIX A
PROHIBITION OF DISCRIMINATION IN STATE CONTRACTS

In connection with the performance of work under this contract; the contractor agrees as follows:

1. In accordance with Act No. 453, Public Acts of 1976, the contractor hereby agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or as a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, or marital status. Further, in accordance with Act No. 220, Public Acts of 1976 as amended by Act No. 478, Public Acts of 1980 the contractor hereby agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of the above covenants shall be regarded as a material breach of this contract.
2. The contractor hereby agrees that any and all subcontracts to this contract, whereby a portion of the work set forth in this contract is to be performed, shall contain a covenant the same as hereinabove set forth in Section 1 of this Appendix.
3. The contractor will take affirmative action to insure that applicants for employment and employees are treated without regard to their race, color, religion, national origin, age, sex, height, weight, marital status or a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
4. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, national origin, age, sex, height, weight, marital status or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.
5. The contractor or his collective bargaining representative will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice advising the said labor union or workers' representative of the contractor's commitments under this appendix.
6. The contractor will comply with all relevant published rules, regulations, directives, and orders of the Michigan Civil Rights Commission which may be in effect prior to the taking of bids for any individual state project.
7. The contractor will furnish and file compliance reports within such time and upon such forms as provided by the Michigan Civil Rights Commission, said forms may also elicit information as to the practices, policies, program, and employment statistics of each subcontractor as well as the contractor himself, and said contractor will permit access to his books, records, and accounts by the Michigan Civil Rights Commission and/or its agent, for purposes of investigation to ascertain compliance with this contract and relevant with rules, regulations, and orders of the Michigan Civil Rights Commission.
8. In the event that the Civil Rights Commission finds, after a hearing held pursuant to its rules, that a contractor has not complied with the contractual obligations under this agreement, the Civil Rights Commission may, as part of its order based upon such findings, certify said findings to the Administrative Board of the State of Michigan, which Administrative Board may order the cancellation of the contract found to have been violated and/or declare the contractor ineligible for future contracts with the state and its political and civil subdivisions, departments, and officers, and including the governing boards of institutions of higher education, until the contractor complies with said order of the Civil Rights Commission. Notice of said declaration of future ineligibility may be given to any or all of the persons with whom the contractor is declared ineligible to contract as a contracting party in future contracts. In any case before the Civil Rights Commission in which cancellation of an existing contract is a possibility, the contracting agency shall be notified of such possible remedy and shall be given the option by the Civil Rights Commission to participate in such proceedings.
9. The contractor will include, or incorporate by reference, the provisions of the foregoing paragraphs (1) through (8) in every subcontract or purchase order unless exempted by the rules, regulations or orders of the Michigan Civil Rights Commission, and will provide in every subcontract or purchase order that said provisions will be binding upon each subcontractor or seller.

March, 1998

APPENDIX B

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in Federally assisted programs of the Department of Transportation, Title 49, Code of Federal Regulations, Part 27, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, or natural origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, or national origin.
4. Information and Reports: The contractor shall provide all information and reports required by the Regulations, or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Michigan Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations or directives. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the Michigan Department of Transportation, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.
5. Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Michigan Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:
 - (a) Withholding of payments to the contractor under the contract until the contractor complies, and/or
 - (b) Cancellation, termination, or suspension of the contract, in whole or in part.
6. Incorporation of Provisions: The contractor shall include the provisions of paragraphs 1 through 6 of every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Michigan Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for non-compliance; provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Michigan Department of Transportation to enter into such litigation to protect the interests of the State, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

APPENDIX C

TO BE INCLUDED IN ALL FINANCIAL ASSISTANCE AGREEMENTS WITH LOCAL AGENCIES

Assurance that Recipients and Contractors Must Make (Excerpts from US DOT Regulation 49 CFR 26.13)

- A. Each financial assistance agreement signed with a DOT operating administration (or a primary recipient) must include the following assurance:**

The recipient shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any US DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The recipient shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of US DOT-assisted contracts. The recipient's DBE program, as required by 49 CFR Part 26 and as approved by US DOT, is incorporated by reference in this agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this agreement. Upon notification to the recipient of its failure to carry out its approved program, the department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).

- B. Each contract MDOT signs with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance:**

The contractor, sub recipient or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of US DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the recipient deems appropriate.

2003-23 e)

Date: March 11, 2003

To: Honorable Mayor and City Commissioners

From: Engineering

RE: Transportation Improvements Program Submittal for:
2004-2006

SUMMARY OF REQUEST:

To submit the attached list of projects to the West Michigan Shoreline Regional Development Commission for inclusion in the FY 2004 – 2006 Transportation Improvement Program. Projects submitted will be considered for Federal and State transportation funding. Adoption of the attached resolution is required with as part of the submittal to commit the local match if project funding is granted.

FINANCIAL IMPACT:

None at this time, however, a local match will be required should we receive a grant for a particular project.

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

To approve the project submittal and resolution.

COMMITTEE RECOMMENDATION:

THE CITY'S WISH LIST FOR 2005 - 2006 TIP

Type of Fund	Roadway Name	length (ft)	From	Limits To	Year	Estimated Cost	STP Federal share @ 80%	Type of Improvements
STP	Southern Ave.,	2700	Seaway Dr.	Fifth	2005	\$550,000.00	\$440,000.00	Reconstruction
STP	Park Street	1300	Young	Laketon	2006	\$250,000.00	\$200,000.00	Reconstruction
STP	Strong	600	Jefferson	Peck	2005	\$110,000.00	\$88,000.00	Reconstruction
<u>SUBTOTAL FOR 2005</u>						<u>\$910,000.00</u>	<u>\$728,000.00</u>	
STP	Montgomery	2100	Laketon	Southern	2005	\$450,000.00	\$360,000.00	Reconstruction
STP	Park Street	1630	Laketon	Southern	2006	\$300,000.00	\$240,000.00	Reconstruction
STP	Mcgraft Park	1900	Addison	Glenside	2006	\$250,000.00	\$200,000.00	Reconstruction
<u>SUBTOTAL FOR 2006</u>						<u>\$1,000,000.00</u>	<u>\$800,000.00</u>	
GRAND TOTAL FOR THE 2005-2006						\$1,910,000.00	\$1,528,000.00	

Resolution No. 2003-23 (e)

RESOLUTION FOR AUTHORIZATION TO REQUEST THE WEST MICHIGAN SHORELINE REGIONAL
DEVELOPMENT COMMISSION TO INCLUDE THE CITY'S PROJECTS IN THE 2004-2006
TRANSPORTATION IMPROVEMENT PROGRAM

WHEREAS, the Federal Transit Administration, the Federal Highway Administration and the Federal Aviation Administration, through the Intermodal Surface Transportation Efficiency Act of 1991; Act 51, P.A. 1951; and various other Federal and State acts, in cooperation with the Michigan Department of Transportation, makes funding available for local jurisdictions and agencies for transportation improvements projects; and

WHEREAS, the West Michigan Shoreline Regional Development Commission (WMSRDC) is the organization designated by the Governor as being responsible, together with the state, for carrying out provisions of 23 U.S.C. 134 (Federal Aid Planning Requirements) and the WMSRDC has deferred to the Muskegon Area Transportation Planning Program's (MATPP's) Policy Committee upon recommendation of the MATPP Technical Committee all matters of policy and approval related to transportation planning work programs, the long range transportation plan, and the Transportation Improvement Programs; and

WHEREAS, the WMSRDC is responsible, through the MATPP Advisory Committees (Technical and Policy), for implementing the federally required "3-C" urban transportation planning process, including the development of the transportation Improvement Program; and

WHEREAS, the 3-C planning process for Muskegon County has been certified according to the requirements of 25 CFR 450.114(c); and

WHEREAS, the City of Muskegon desires to secure financial assistance from the federal and/or State government to help defray the cost of the attached proposed transportation projects; and

WHEREAS, the required local match for the requested funding is available [or will be available] and committed to the proposed projects upon grant approval;

NOW, THEREFORE BE IT RESOLVED that the City of Muskegon requests the West Michigan Shoreline Regional Development Commission to consider inclusion of the projects in the priority list of Transportation Improvement Program for the Fiscal Years 2004-2006.

BY:


Stephen J. Warmington, Mayor

Attest:


Gail A. Kunderger, Clerk

MARCH 11, 2003

Date

CERTIFICATION

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

CITY OF MUSKEGON

By


Gail A. Kunding, City Clerk

AGENDA ITEM

**CITY COMMISSION MEETING
MARCH 11, 2003**

TO: Honorable Mayor and City Commissioners
FROM: Community Relations Committee, Gail Kunding, City Clerk
DATE: March 10, 2003
SUBJECT: Appointments to various boards/committees.

SUMMARY OF REQUEST: To approve the recommended appointments to the following:

Toya Davis to the Land Reutilization Committee and Stanley Schnepf to the Local Development Finance Authority.

BUDGET ACTION REQUIRED: None

FINANCIAL IMPACT: None

STAFF RECOMMENDATION: Approve the appointments.

COMMITTEE RECOMMENDATION: Community Relations Committee recommended approval of the appointments..

LRC

**CITY OF MUSKEGON
TALENT BANK APPLICATION**

TOYA

Please Type or Print. Applications will be kept on file for one year. All applicants subject to a background check.

NAME: Toya Davis DATE: 10-17-02

HOME ADDRESS: 624 McLaughlin
(Street, City, State, Zip)

HOME PHONE #: 722-8297 WORK PHONE #: (616) 842-5050

OCCUPATION: Clerical Assistant
(If retired, give former occupation)

EDUCATION: Currently attend MCC taking up computers

PERSONAL & COMMUNITY ACTIVITIES: Working Out

INTEREST IN SERVING: Housing Commission

PERSONAL REFERENCES: (Please list the name and phone numbers of three personal references)

1. <u>Cynthia Dicker</u> (Name)	<u>777-2732</u> (Phone Number)
2. <u>Heronica Betts</u> (Name)	<u>725-8513</u> (Phone Number)
3. <u>Clarence Bay</u> (Name)	<u>726-4322</u> (Phone Number)

PLEASE INDICATE BOARDS/COMMISSIONS/COMMITTEES INTERESTED IN SERVING ON - MARKING #1 AS YOUR FIRST PREFERENCE:

- () Board of Canvassers
- () Board of Review
- () Cemetery Committee
- () Citizen's Police Review Board
- () City Employees Pension Board
- () Civil Service Commission
- () CDBG-Citizen's District Council
- () District Library Board
- () Downtown Development Authority/Brownfield Board
- () Election Commission
- () Electrical Board of Appeals
- () Enterprise Community Citizen Council
- () Equal Opportunity Committee
- () Historic District Commission
- () Hospital Finance Authority
- () Housing/Building Code Board of Appeals

- (1) Housing Commission
- () Housing Stock Review Committee
- () Image Committee
- () Income Tax Board of Review
- (x) Land Reutilization Committee
- () Leisure Services Board
- () Loan Fund Advisory Committee
- () Local Develop. Finance Authority
- () Local Officer's Compensation Com.
- () Mechanical Board of Examiners
- () Planning Commission
- () Plumbing Board of Appeals
- () Police/Fireman's Pension Board
- () Tax Increment Finance Authority
- () Zoning Board of Appeals
- () Other _____

* Attach Additional Sheets or Resume if Desired.

Return this form to:

City Clerk's Office, 933 Terrace St., P. O. Box 536, Muskegon, MI 49443-0536

RECEIVED

OCT 17 2002

**CITY OF MUSKEGON
TALENT BANK APPLICATION**

Please Type or Print. Applications will be kept on file for one year. All applicants subject to a background check.

NAME: Stanley C. Schnepf DATE: 10-17-02

HOME ADDRESS: 1475 Ducey Muskegon, MI 49442
(Street, City, State, Zip)

HOME PHONE #: (231) 773-3845 WORK PHONE #: Retired

OCCUPATION: Realtor, Occupational Therapist, Water Safety Instructor
(If retired, give former occupation)

EDUCATION: BS degree in Occupational Therapy; licensed Realtor

PERSONAL & COMMUNITY ACTIVITIES: Competitive Swimming Coach (Muskegon Schools & Y.F.C.A.); SCOUT MASTER (B.S.A.); ~~Deacon~~ Deacon (McGuff Congregational)

INTEREST IN SERVING: Would like to be more active in City government

PERSONAL REFERENCES: (Please list the name and phone numbers of three personal references)

1. Bernie Tassin
(Name)

737-2121
(Phone Number)

2. Julie Parisian
(Name)

Muskegon City Police Dept.
(Phone Number)

3. David Geiger
(Name)

773-2990
(Phone Number)

[CENTURY 21
Broker]

PLEASE INDICATE BOARDS/COMMISSIONS/COMMITTEES INTERESTED IN SERVING ON - MARKING #1 AS YOUR FIRST PREFERENCE:

- ☐ Board of Canvassers
- ☐ Board of Review
- ☐ Cemetery Committee
- ☐ Citizen's Police Review Board
- ☐ City Employees Pension Board
- ☐ Civil Service Commission
- ☐ CDBG-Citizen's District Council
- ☐ District Library Board
- ☐ Downtown Development Authority/Brownfield Board
- ☐ Election Commission
- ☐ Electrical Board of Appeals
- ☐ Enterprise Community Citizen Council
- ☐ Equal Opportunity Committee
- ☐ Historic District Commission
- ☐ Hospital Finance Authority
- ☐ Housing/Building Code Board of Appeals

- ☐ Housing Commission
- ☐ Housing Stock Review Committee
- ☐ Image Committee
- ☐ Income Tax Board of Review
- ☐ Land Reutilization Committee
- ☒ Leisure Services Board
- ☐ Loan Fund Advisory Committee
- ☐ Local Develop. Finance Authority
- ☐ Local Officer's Compensation Com.
- ☐ Mechanical Board of Examiners
- ☒ Planning Commission
- ☐ Plumbing Board of Appeals
- ☐ Police/Fireman's Pension Board
- ☐ Tax Increment Finance Authority
- ☐ Zoning Board of Appeals
- ☐ Other _____

* Attach Additional Sheets or Resume if Desired.

Return this form to: City Clerk's Office, 933 Terrace St., P. O. Box 536, Muskegon, MI 49443-0536

Commission Meeting Date: March 11, 2003

Date: March 3, 2003

To: Honorable Mayor & City Commission

From: Planning & Economic Development Department *CBL*

**RE: Public Hearing- U. S. Environmental Protection
Agency (USEPA) Final Grant Submittal**

SUMMARY OF REQUEST: The City of Muskegon has been invited by the USEPA to submit a final proposal for a Brownfield Assessment Grant. In December 2002, the City submitted an initial grant application to the EPA. As part of the final submittal, the EPA is requesting that the public be given an opportunity to provide feedback (see attached grant summary). For that reason, a public hearing is being held. In an effort to notify interested parties, the City requested that the Chamber of Commerce send out a "Fax Alert" to City of Muskegon businesses to notify them of the public hearing. The Chamber of Commerce agreed to assist us. In the "Alert", fax recipients were encouraged to contact City Staff if they had comments or questions.

FINANCIAL IMPACT: If approved, the City of Muskegon will receive up to \$200,000 in grant funds to assist in brownfield redevelopment.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: To hold a public hearing and to authorize staff to submit the final USEPA Brownfield Grant application; and, if approved, to accept the funding from the USEPA.

COMMITTEE RECOMMENDATION: None.

SUMMARY OF THE CITY OF MUSKEGON'S EPA BROWNFIELDS ASSESSMENT GRANT APPLICATION

The City of Muskegon ("City") has been invited by the U.S. Environmental Protection Agency (EPA) to submit a final proposal for a Brownfields Assessment Grant. In December 2002, the City submitted an initial grant application to the EPA. 47 Michigan communities submitted applications; 24 of those communities were recently notified by the EPA that they were selected to submit final applications. The City's proposal requests a grant of \$200,000 to conduct environmental due diligence activities at properties within the City. The City of Muskegon's final proposal for an EPA Brownfields Assessment Grant is due March 19, 2003.

The following summarizes the proposed Brownfield Assessment Program outlined in the grant application:

- The City's Community and Economic Development Department would identify proposed redevelopment projects that could be facilitated through use of environmental assessment grant funding. The City would evaluate whether a project is consistent with its Master Land Use Plan, the estimated job creation, and the proposed capital investment.
- If the City approves a project, EPA assessment funds would be used to conduct a Phase I Environmental Site Assessment (ESA) through the services of an environmental consultant retained by the City. This Phase I ESA would identify whether there was further investigation necessary due to "recognized environmental conditions".
- If the Phase I ESA identified recognized environmental conditions, a Phase II ESA would be performed. If the Phase II ESA found soil and/or groundwater contamination on the property that exceeds Michigan's residential cleanup criteria, then a Baseline Environmental Assessment (BEA) would be prepared on behalf of the purchaser. A BEA provides a person with protection from cleanup liability for contamination that exists on the property, and allows contaminated property to be redeveloped without fear of costly cleanup obligations.
- If a BEA were prepared, the City's environmental consultant would also evaluate "Due Care" obligations for the purchaser. Due Care obligations, based in common law, require that a person who owns/operates contaminated property must assure that: 1) there are no unacceptable exposures to hazardous substances for those who use the property; 2) the activities on the property do not exacerbate the existing contamination; and 3) actions of third parties that may adversely impact the existing contamination are prevented.

This process has been used by the City over the past 7 years for properties located along the Muskegon Shoreline utilizing MDEQ Site Assessment grant funding. Notable projects assisted through this effort are GVSUs Water Resources Institute, Shoreline Inn & Suites, Cole's Quality Foods expansion, Edison Landing, and the Amazon Building. The City welcomes comments regarding the effectiveness of the current Site Assessment program, any suggested improvements to the program, and the need to expand the program throughout the City with the new EPA Brownfields Assessment Grant. Questions and comments may be directed to Ms. Cathy Brubaker-Clarke, Director of Community & Economic Development for the City of Muskegon, at (231) 724-6702.

Commission Meeting Date: March 11, 2003

2003-24 b)

Date: March 4, 2003

To: Honorable Mayor & City Commission

From: Planning & Economic Development Department

**RE: Public Hearing related to transfer of IFT
Certificate from Shoreline Metal Finishing to
Great Lakes Metal Finishing**

SUMMARY OF REQUEST: To transfer the IFT currently held by Shoreline Metal Finishing to Great Lakes Metal Finishing. Shoreline Metal Finishing conducted metal finishing activities consisting of plating, buffing, deburring, etc. The same activities will occur at the existing site, but under new ownership.

FINANCIAL IMPACT: At this time there will be no financial impact because this is merely a transfer of an existing IFT.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve the IFT transfer from Shoreline Metal Finishing to Great Lakes Metal Finishing. Attached is a summary of the current status of negotiations.

COMMITTEE RECOMMENDATION:

Michigan Department of Treasury, STC
1012 (Rev. 9-98)

L-4380

APPLICATION FOR INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE

This form is issued as provided by P.A. 198 of 1974, as amended. Section references on this form are to specific sections of the act that explain or require the data. Filing of this form is voluntary. The application should be filed after the district is established and no later than (within) six months after the commencement of the project. This project will not receive tax benefits until approved by the State Tax Commission.

INSTRUCTIONS: Read the instructions on page 4 before completing this application. File the original and four copies of this form and the required attachments (five complete sets) with the clerk of the local government unit. (The State Tax Commission requires four complete sets (one original and three copies)). One copy is retained by the clerk.

TO BE COMPLETED BY CLERK OF LOCAL GOVERNMENT UNIT Clerk must also complete sections 19 and 20, page 3.		THIS SECTION FOR USE BY THE OFFICE OF THE STATE TAX COMMISSION	
Signature		Application No.	
Date Received		Date Received	Written Agreement? ☐ YES ☐ NO

Applicant, do not write above this line. Begin entries at 1 below.

1a. Applicant (Company) Name (Applicant must be the occupant/operator of the facility) Great Lakes Finishing, Inc		b. Standard Industrial Classification Code (Sec. 2(11)) Four Digit Code 03	
c. Company Mailing Address (No. and Street, P.O. Box, City, State, ZIP) 510 West Hackley, Muskegon, MI 49444		First time applicants attach copy of Worker's Compensation policy displaying workers codes	
d. Location of Facility (No. and Street, City, State, ZIP) 510 W. Hackley, Muskegon, MI		e. City/Town/Village	f. County
2. Type of Approval Requested ☐ NEW (SEC 2(4)) ☐ REHABILITATION (SEC. 3(1)) ☒ SPECULATIVE BUILDING (SEC. 3(8)) ☒ TRANSFER (of existing certificate) (1 copy only) ☐ RESEARCH and DEVELOPMENT (SEC. 2(9))		3. School District Where Facility is Located	4. School Code
5. Explain Applicant's Principal Type of Business (Detailed description of operation):			

Plating - All phases of metal finishing as pertains to plating, conversion coatings, buffing, deburring and manufacturing incidental to metal finishing.

6. Rehabilitation Applicants Only: General Description and Use of Existing Facility (Number of buildings, type, size, use, products manufactured, type of research or development.)

N/A

7. Explain Degree and Type of Obsolescence Affecting Existing Facility.

N/A

8. Describe Project for Which Exemption is Sought (Type of Improvements to Land, Building, Size of Addition, Personal Property Acquired - Explain New - Used, Transferred from Out-of-State, etc.) and Proposed Use of Facility

**Removal of old equipment and fixtures from previous tenant and upgrading of building to meet requirements for metal finishing.
See attached for personal property.**

a. Cost of land improvements (Itemize) Excluding cost of land	\$ a. N/A
b. Cost of building improvements. (List major types & cost on attachment) Building permit required (See instructions on page 4, item 4)	b. 500,000.00
c. Cost of machinery and equipment. (Itemize: month, day & year and total on attachment; see instructions on page 4, item 2)	c. 1,000,000.00
d. Cost of furniture and fixtures. (Itemize: month, day & year on attachment; see instructions on page 4, item 2)	d. 30,000.00
TOTAL PROJECT COST	\$ 1,530,000.00

Continue on Page 2

TC12 (Page 2)

9. List Time Schedule for Start and Finish of Construction Stages and Equipment Installation. Project dates must be projected and completed within a two year period. (See Instructions, page 4, items 2 and 4.)

NOTICE AFTER DEC. 31, 1983: Section 9 (2) (c) specifies that restoration, replacement or construction commence not earlier than 6 months before this application is filed. Estimate dates when applicable.

THIS SECTION MUST BE COMPLETED WITH ACTUAL DATES. (REFERENCE TO SEE ATTACHMENTS NOT ACCEPTABLE.)

Begin (M/D/Y)

End (M/D/Y)

Real Property Improvements:

Personal Property Improvements:

10a. Are the Buildings Owned or Leased by the Operator of the Facility?

☒ OWNED☐ LEASED (Attach copy of lease.)

b. Is Applicant Liable for Payment of Ad Valorem Taxes on This Property?

☒ YES☐ NO

c. Are Machinery and Equipment, Furniture and Fixtures Owned or Leased by the Operator of this Facility?

☐ OWNED☒ LEASED (Attach a copy of the lease.)

11. Will the Property for Which This Application is Filed be Included in an:

a. State Enterprise Zone or State Renaissance Zone

☐ YES☐ NO

b. 307 Site Contaminated Property File Number _____

Clerk's Certification

☐ YES☒ NO

12. If State Education Taxes are abated, attach Michigan Jobs Commission Letter of Commitment.

N/A

a. Enter total number of employees at site prior to start of project.

0

b. Number of existing jobs that can be identified at this site that will be retained as a result of this project?

0

c. Number of new jobs at this site expected to be created within 2 years of project completion?

20

13. Has the project caused or will it cause, a relocation of employment from one or more Michigan governmental units to the unit in which the project is or will be located?

a. ☒ YES☐ NO

b. Number of Jobs Involved in Facility Relocation

3705

c. Previous Location of Facility (City, Township, Village)

Muskegon Hts

d. Attach a certified copy of the resolution passed by the governmental unit from which employment is to be transferred consenting to the transfer of employment. Date resolution was adopted _____

14. Rehabilitation applications: Complete a, b and c. Attach assessor's statement of valuation for the entire plant rehabilitation district.

a. SEV of Real Property (Exclude Land)

N/A

b. SEV of Personal Property (Exclude Inventory)

N/A

c. Total SEV

N/A

as of Dec. 31, 19 _____

15a. The Facility is Located in the following Type of District Established by the Local Governing Unit:

☒ INDUSTRIAL DEVELOPMENT DISTRICT☐ PLANT REHABILITATION DISTRICT

b. Name of Governing Unit that Established District

City of Muskegon

c. Date District was Established

10-26-99

Attach certified copy of resolution and drawing of district.

NOTICE AFTER DEC. 31, 1983: Section 9(2)(b) provides that a written request (Date stamped by local unit) to establish the district MUST be filed prior to the commencement of any improvements or construction. Please furnish a copy of the written request.

16a. Is This Application for a Speculative Building (Sec. 3(B))?

☒ NO - Go to 17 below☐ YES - Complete b, c and d

b. Name of Governmental Unit Which Passed Resolution to Establish a Speculative Building.

c. Date of Resolution (Attach copy)

d. Date of Construction Commenced (See page 4, item 4)

e. Attach a Certified statement from the building owner and assessor that the building has not been occupied since completion of construction. (See page 4, item 13.)

☐ Owner☐ Assessor

17. Complete this section if application is for a replacement facility which will not be located on the same site or contiguous to the obsolete facility. The obsolete facility will be disposed of as follows:

Continue on Page 3

1012 (Page 3)

APPLICANT'S CERTIFICATION

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

18. Name of Person to Contact for Further Information <u>Diana Bench</u>		Title <u>President</u>	Phone <u>231 733-4566</u>
Mailing Address <u>510 W. Hackley Avenue</u>			
Type Name of Company Officer <u>Diana Bench</u>		Signature <u>[Signature]</u>	
Title <u>President</u>		Date <u>2/13/03</u>	

LOCAL GOVERNMENT ACTION

This section is to be completed by the clerk of the local governing unit before submitting application to the State Tax Commission

19. Action Taken ☒ ABATEMENT APPROVED FOR _____ Years Ending December 30, _____ (not to exceed 12 years after project completion) There are circumstances in which the words "after completion" could extend the length of the exemption by 2 to 3 years. Please call the Property Tax Division at (517) 373-2408 if a further explanation is needed. ☐ DISAPPROVED	DOCUMENTS REQUIRED ☐ 1. Application plus attachments. (See inst. pg. 4, # 1-7) ☐ 2. Notice to the public prior to hearing to establish district. ☐ 3. Resolution establishing district. ☐ 4. Notice to taxing authorities prior to hearing to approve application. ☐ 5. List of taxing authorities notified. ☐ 6. Resolution approving application. ☐ 7. (a) Letter of Agreement (Signed by local unit and applicant) per P.A. 334 of 1993. (b) Affidavit of Fees (Bulletin 3, 1/16/98). ☐ 8. 3222 (formerly T-1044A) (if applicable). ☐ 9. Speculative building resolution & affidavits.
--	---

20. Name of Local Government Body		Date of Action on This Application
Attached hereto is a copy of the application and all documents required.		
Signature of Clerk	City	Phone
Clerk's Mailing Address	City	ZIP Code

State Tax Commission Rule Number 57:

Complete applications approved by the local unit and received by the State Tax Commission by October 31 will be acted upon by December 31.

Applications received after October 31 will be acted upon in the following year.

Mail completed application and all attachments to:

State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, Michigan 48909-7971

*Information contained in this application and supporting documentation may be subject to review by the public if a Freedom of Information Request is filed.

If you have any questions, please call (517) 373-2408 or 373-3302.

EXHIBIT A

DESCRIPTON OF REAL PROPERTY

Commonly known as: 510 W Hackley Ave.
Muskegon, Michigan 49441

County of Muskegon

State of Michigan

That part of the Southeast 1/4 of the Northwest fractional 1/4 of Section 31, Town 10 North, Range 16 West, described as follows: Commencing at the Southwest corner of said Southeast 1/4 of the Northwest fractional 1/4, thence South 89 degrees 57 minutes 15 seconds East along the East and West 1/4 line of said Section 426.07 feet for the point of beginning, thence North 0 degrees 02 minutes 45 seconds East 546.50 feet, thence South 89 degrees 57 minutes 15 seconds East 84.20 feet to the Westerly line of the Chesapeake and Ohio Railroad right of way, thence South 33 degrees 26 minutes 57 seconds East along said Westerly line 182.13 feet, thence South 56 degrees 33 minutes 03 seconds West along said right of way line 17.00 feet, thence South 33 degrees 26 minutes 57 seconds East along said Westerly right of way line 62.45 feet, thence South 0 degrees 02 minutes 45 seconds West 333.15 feet to said East and West 1/4 line, thence North 89 degrees 57 minutes 15 seconds West along said East and West 1/4 line 205.0 feet to point of beginning. Except the South 16.50 feet thereof.

NEW MACHINERY/EQUIPMENT

INSTRUCTIONS - 2

DESC.	TYPE	EXP. DATE OF INSTALLATION (MO/DATE/YEAR)	EXPECTED COST
LIFT TRUCK (2)		11/1/99	\$32,000
WASTE TREATMENT		11/1/99	\$375,000
AUTOMATIC HANSON "B"		11/1/99	\$192,000
BARRELL LINE - UTILYTE MODEL C		11/1/99	\$85,000
COMPUTERS NETWORK (8)		11/1/99-00	\$22,000
SCALE		11/1/99	\$4,000
AUTOMATIC HANSON "B"		12/01/00	\$185,000
BARRELL LINE - UTILYTE MODEL C		12/01/00	\$85,000
DOCK DOOR LOCKS - AUTOMATIC		11/1/99	\$20,000
TOTAL			\$1,000,000

**EXISTING MACHINERY/EQUIPMENT/FURNITURE/FIXTURES
WHICH WILL CONTINUE TO BE USED**

INSTRUCTIONS 3

DESCRIPTION	TYPE	I.D.	YEAR OF ACQUIS.	ORIG. COST
BLACK OXIDE FINISHING LINE	BARRELL LINE		1999	\$45,000
FLOOR SCALE			1998	\$ 4,500
FORK LIFT (2)			1998	\$17,500
MISC. EQUIPMENT			1998-99	\$10,000
LAB EQUIPMENT			1999	\$ 5,000
MAINTENANCE EQUIPMENT			1998-99	\$25,000
			TOTAL	<u>\$107,000</u>

COST OF BUILDING IMPROVEMENTS (MAJOR TYPES)

APPLICATION B

TYPE	DESCRIPTION	EXPECTED COST
BUILDING		\$405,000
OFFICE		\$ 45,000
HVAC		\$ 50,000
	TOTAL	\$500,000

Resolution No. ~~2003-24~~ (b)

MUSKEGON CITY COMMISSION

RESOLUTION APPROVING REQUEST FOR NAME CHANGE
Great Lakes Metal Finishing, Inc.
FOR IFT CERTIFICATE NO 99-739

Whereas pursuant to P.A. 198, of 1974 as amended, after duly noticed public hearing held on October 26, 1999 this commission by resolution established an Industrial Development District No. 99-739 as requested by Shoreline Metal Finishing; and

WHEREAS, Shoreline Metal Finishing, filed application for Industrial Facilities Exemption Certificates with respect to new facilities to be installed within the Industrial Development District No. 99-739; and

WHEREAS, before acting on said applications the Muskegon City Commission Held public hearings at the Muskegon City Hall in Muskegon Michigan at 5:30 p.m. which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice of and were afforded an opportunity to be heard on said application; and

WHEREAS, Shoreline Metal Finishing has been purchased by and incorporated as Great Lakes Metal Finishing Inc. and has requested a name change from Shoreline Metal Finishing to Great Lakes Metal Finishing Inc.;

WHEREAS, Shoreline Metal Finishing had been issued Industrial Facilities Tax Exemption Certificate No. 99-739 ;

NOW THEREFORE BE IT RESOLVED by the Muskegon City Commission of the City of Muskegon, Michigan that:

(1) The name change on Industrial Facilities Exemption Certificate No. 99-739 shall take effect immediately but there shall not be any extending of the abatement period originally granted.

(2) The request for name change of Great Lakes Metal Finishing Inc. for Industrial Facility Exemption Certificate No. 99-739. The name changes shall be in effect on the following described parcel of real property situated within the City of Muskegon

That part of the Southeast $\frac{1}{4}$ of the Northwest fractional $\frac{1}{4}$ of Section 31, Town 10 North, Range 16 West described as follows: Commencing at the Southwest corner of the said Southeast $\frac{1}{4}$ of the Northwest fractional $\frac{1}{4}$, thence South 89 degrees 57 minutes 15 seconds East along the East and west $\frac{1}{4}$ line of said Section 426.07 feet for the point of beginning, thence North 0 degrees 02 minutes 45 seconds East 546.50 feet, thence South 89 degrees 57 minutes 15 seconds east 84.2 feet to the westerly line of the Chesapeake and Ohio Railroad right of way, thence South 33 degrees 26 minutes 57 seconds east along the said Westerly line 182.13 feet, thence south 56 degrees 33 minutes 03 seconds west along said right of way line 17.00 feet, thence south 33 degrees 26 minutes 57 seconds east along said westerly right of way line 62.45 feet, thence South 0 degrees 02 minutes 45 seconds West 333.15 feet to said East and West $\frac{1}{4}$ line, thence North 89 degrees 57 minutes 15 seconds west along said East and West $\frac{1}{4}$ line 205.0 feet to point of beginning. Except the south 16.50 feet thereof.

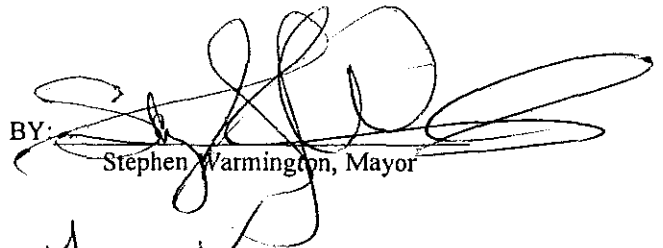
Resolution declared adopted.

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

Nays: None

Absent: Shepherd

BY:

A large, stylized handwritten signature in black ink, appearing to read 'Stephen Warmington'.

Stephen Warmington, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read 'Gail Kunding'.

Gail Kunding, Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City of Muskegon, County of Muskegon, Michigan at a regular meeting held on March 11, 2003.

Gail Kunding, Clerk

A handwritten signature in black ink, appearing to read 'Gail Kunding'.

2003-24c)

Date: March 11, 2003
To: Honorable Mayor and City Commissioners
From: Gail A. Kunding, City Clerk
RE: Recommendation for Annual Renewal of Liquor Licenses

SUMMARY OF REQUEST: To adopt a resolution recommending non-renewal of those liquor license establishments who are in violation of Section 50-146 and 50-147 of the Code of Ordinance for the City of Muskegon. These establishments have been found to be in non-compliance with the City Code of Ordinances and renewal of their liquor licenses should not be recommended by the City Commission. If any of these establishments come into compliance by March 25, 2003, they will be removed from this resolution, and recommendation for their renewal will be forwarded to the Liquor Control Commission.

FINANCIAL IMPACT: None.

BUDGET ACTION REQUIRED: None.

STAFF RECOMMENDATION: Adoption of the resolution.

STANDARDS FOR CITY OF MUSKEGON'S ISSUANCE,
TRANSFER, RENEWAL OR REVOCATION OF
LIQUOR LICENSES WITHIN THE CITY OF MUSKEGON
TO ALL LIQUOR LICENSEES LICENSED WITH THE
CORPORATE LIMITS OF THE CITY OF MUSKEGON:

PLEASE TAKE NOTICE that the City of Muskegon will oppose the issuance, renewal or transfer and will move to revoke any existing liquor license issued by the Michigan Liquor Control Commission for the sale of intoxicating spirits within the City of Muskegon if any of the following conditions exist:

1. The licensee or proposed licensee is not of good moral character.
2. The licensee or proposed licensee does not have sufficient assets for the successful operation of the licensed premises.
3. The location of the licensed premises has caused, will or is likely to cause law enforcement problems beyond the present capability of the City's law enforcement department to meet.
4. The licensed premises or premises proposed to be licensed does not comply with established zoning ordinances, or building, health, safety and fire codes.
5. The licensee or proposed licensee is not current in payment to the City of Muskegon for taxes, assessments, utilities or other debts.
6. The licensee or proposed licensee has not filed an Applicant Questionnaire with the Muskegon City Clerk, City Hall.

Gail A. Kunding
Muskegon City Clerk

2003-24 (c)

**RESOLUTION RECOMMENDING STATE WITHHOLD
RENEWAL OF LIQUOR LICENSES FOR CODE
VIOLATIONS**

THE CITY COMMISSION OF THE CITY OF MUSKEGON DO RESOLVE, that
whereas, the following business establishments in the City of Muskegon have liquor
licenses and are found to be in violation of Article V, Section 50-146 and 50-147 of the
Code of Ordinances of the City of Muskegon:

SEE ATTACHED LIST OF VIOLATIONS

AND WHEREAS, a hearing was held on March 11, 2003, before the City Commission to
allow such licensees an opportunity to refute the determination of the City Commission
that such establishments are in non-compliance with the City Code of Ordinances and
renewal of their liquor licenses should not be recommended by the City Commission; and

WHEREAS, an affidavit of mailing of Notices of Hearing and Notification of Non-
Compliance to City Standards to the licensees has been filed;

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of
Muskegon hereby recommends that these liquor licenses not be approved for renewal,
and a copy of this Resolution be sent to the State Liquor Control Commission. If any of
these establishments come into compliance before March 25, 2003, they will be removed
from this Resolution.

Approved and adopted this 11th day of March, 2003.

AYES: 6

NAYS: 0

ABSENT: 1

By: 
Gail A. Kunderger, City Clerk

LIST OF VIOLATIONS

BUSINESS NAME	BUSINESS ADDRESS	APPLICATION	RENEWAL FEE	BUSINESS REGISTRATION
H & J PARTY STORE	939 E LAKETON	X	X	

X represents in violation

CERTIFICATION

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

CITY OF MUSKEGON

By


Gail A. Kunderger, City Clerk

AFFIDAVIT OF MAILING

I, Linda S. Potter, being duly sworn, deposes and says that I am the Deputy City Clerk of the City of Muskegon, State of Michigan; and that on March 11, 2003, the City Commission will meet to hear objections to adoption of a resolution to recommend to the State Liquor Control Commission that liquor license holders who are not in compliance with City Codes be considered for non-renewal of their liquor licenses.

A notice of this hearing was sent to each license holder who was not in compliance on March 6, 2003. This notice was mailed by first class mail, certified, with return receipt requested, to each license holder.

Dated this 6th day of March, 2003.



Linda Potter
Deputy City Clerk

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

Assessor/Equalization
(231)724-6708
FAX: (231)726-5181

Cemetery Department
(231)724-6783
FAX: (231)726-5617

City Manager
(231)724-6724
FAX: (231)722-1214

Civil Service
(231)724-6716
FAX: (231)724-4405

Clerk
(231)724-6705
FAX: (231)724-4178

Community and
Neigh. Services
(231)724-6717
FAX: (231)726-2501

Computer Info.
Systems
(231)724-6744
FAX: (231)722-4301

Engineering Dept.
(231)724-6707
FAX: (231)727-6904

Finance Dept.
(231)724-6713
FAX: (231)724-6768

Fire Department
(231)724-6792
FAX: (231)724-6985

Income Tax
(231)724-6770
FAX: (231)724-6768

Inspection Services
(231)724-6715
FAX: (231)728-4371

Leisure Services
(231)724-6704
FAX: (231)724-1196

Mayor's Office
(231)724-6701
FAX: (231)722-1214

Planning/Zoning
(231)724-6702
FAX: (231)724-6790

Police Department
(231)724-6750
FAX: (231)722-5140

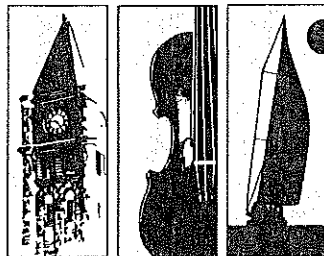
Public Works Dept.
(231)724-4100
FAX: (231)722-4188

Treasurer's Office
(231)724-6720
FAX: (231)724-6768

Water Billing Dept.
(231)724-6718
FAX: (231)724-6768

Water Filtration
(231)724-4106
FAX: (231)755-5290

MUSKEGON



West Michigan's Shoreline City

March 31, 2003

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

To Whom It May Concern:

Enclosed please find a resolution removing H & J Party Store, 939 E. Laketon, Muskegon, MI from the list previously sent to you recommending withholding the renewal of their Liquor Licenses for City Code Violations. They are now in compliance.

If I can supply you with any additional information, please let me know.

Thank you,

Linda Potter

Linda Potter
Deputy City Clerk

Enc.

RESOLUTION

THE CITY OF MUSKEGON DOES HEREBY RESOLVE, that H & J Party Store, 939 E. Laketon, Muskegon, MI is now in compliance with Article V, Section 50-146 and 50-147 of the Code of Ordinances of the City of Muskegon.

NOW, THEREFORE, BE IT RESOLVED, that the City of Muskegon hereby recommends that the liquor license be approved for renewal and a copy of the resolution be sent to the State Liquor Control Commission.

Dated March 31, 2003.

By: Linda S. Potter
Linda S. Potter, Deputy Clerk

2003-24 d)

Date: March 11, 2003
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Public Hearing
Create Special Assessment District for:
Washington St., Franklin to Lakeshore Dr.

SUMMARY OF REQUEST:

To hold a public hearing on the proposed special assessment of the **Washington, Franklin to Lakeshore Dr. 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:

ENGINEERING FEASIBILITY STUDY

For

WASHINGTON AVE. FROM FRANKLIN TO LAKESHORE DR.

The proposed reconstruction of Washington Street between Franklin & Lakeshore Dr., see attached location map, was initiated by the City due to the conditions of the road and utilities need (water & sewer) as well as the fact that this project was on the five year capital improvement plan. The proposed improvement consists of total removal of all existing pavements including curb and gutter and the placement of a new street pavement that will include a new curb and gutter. In addition to the roadway work, we will, if the district is created, construct a new 8" water main and a new sanitary sewer along with services.

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 \$300,000 with the length of the project being approximately 1300 lineal feet or 2190 of assessable front footage. This translates into an estimated improvement cost of \$290 per assessable foot. The assessment figure will be at a cost not to exceed \$35.50 per assessable foot as established in the 2003 Special Assessment for this type of improvement.

MUSKEGON COUNTY

M I C H I G A N

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 25, 2003

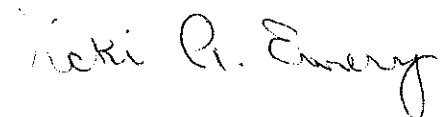
Mohammed Al-Shatel, City Engineer
933 Terrace Street
Muskegon, MI 49443

Mr. Al-Shatel:

In accordance with your request, I have examined the proposed special assessment district entailing the reconstruction of Washington Avenue located between Franklin Street and Lakeshore Drive. 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 February 25, 2003.

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 \$ 35.50 appears reasonable in light of an analysis that indicates a probable enhancement of \$38.95. The conclusions are based upon the data presented within this limited analysis in restricted format, and on supporting information in my files.

Sincerely,



Vicki A Emery, CMAE 3
Senior Appraiser

EXHIBIT A

Washington St., Franklin to Lakeshore Dr.

SPECIAL ASSESSMENT DISTRICT

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

Exhibit A

Special Assessment District



GLADES

POLISKI DR

BEIDLER ST

LYMAN AV

WILSON AV

HANCOCK AV

CROWLEY ST

KINSEY ST

HUDSON ST

YOUNG AV

WILSON AV

W HACKLEY AV

STEIN ST

W BARNEY AV

CITY OF MUSKEGON

Resolution No. 2003-24 (d)

Resolution At First Hearing Creating Special Assessment District
For **Washington St., Franklin to Lakeshore Dr.**
Location and Description of Properties to be Assessed:
See Exhibit A attached to this resolution

RECITALS:

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

FINDINGS:

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

THEREFORE, BE IT RESOLVED:

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

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

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

This resolution adopted.

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

Nays None

Absent: Shepherd

CITY OF MUSKEGON

By Gail A. Kunderger
Gail A. Kunderger, Clerk

ACKNOWLEDGMENT

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

CITY OF MUSKEGON

By Gail A. Kunderger
Gail A. Kunderger, Clerk

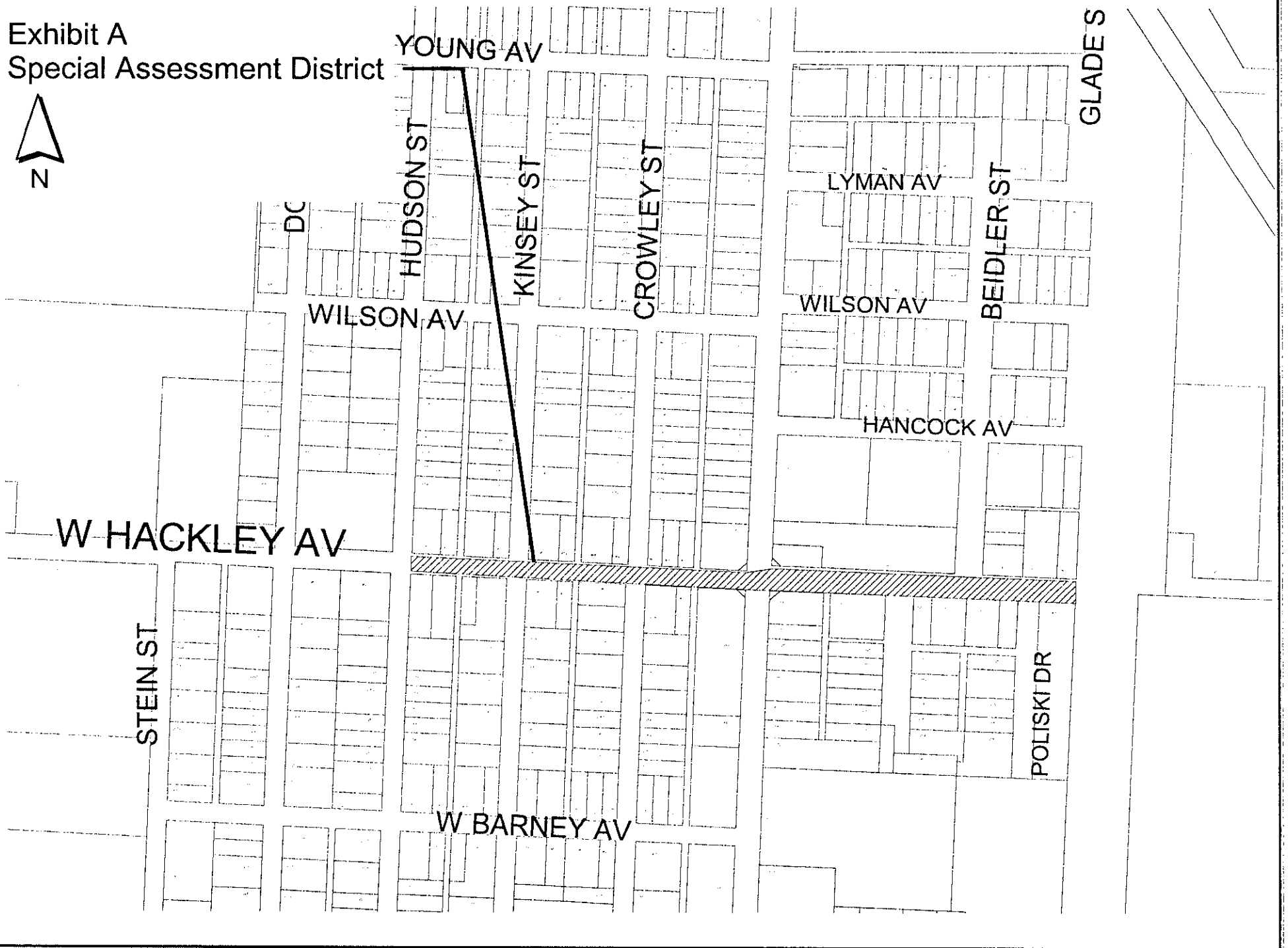
EXHIBIT A

Washington St., Franklin to Lakeshore Dr.

SPECIAL ASSESSMENT DISTRICT

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

Exhibit A
Special Assessment District



AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CREATE A SPECIAL ASSESSMENT DISTRICT FOR THE FOLLOWING:

Washington, Franklin to Lakeshore Dr.

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

Gail A. Kunding
GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
19th DAY OF March, 2003.

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

FEBRUARY 28, 2003

OWNERS NAME
OWNERS ADDRESS
MUSKEGON, MI 49441 2

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

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:

WASHINGTON, FRANKLIN TO LAKESHORE DR.

The proposed special assessment district will be located as follows:

All parcels abutting Washington, Franklin to Lakeshore Dr.

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 11, 2003 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, if the district is created, to confirm the special assessment roll after the project is completed. 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

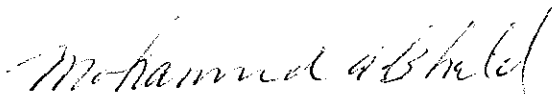
The total estimated cost of the street portion of the project is \$300,000.00 of which approximately 25.93% (\$77,782.99) will be paid by special assessment to property owners. Your property's estimated share of the special assessment is shown on the attached hearing response card. The remaining costs 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
STREET H-1559
WASHINGTON, FRANKLIN TO LAKESHORE DR.
CDBG APPLICATION FOR WAIVER OF SPECIAL ASSESSMENT**

HOUSEHOLD INFORMATION

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

(Please refer to your assessment letter for this information)

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

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

INCOME INFORMATION

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

PROPERTY INFORMATION

Proof Of Ownership: () Deed () Mortgage () Land Contract

Homeowner's Insurance Co: _____ **Expiration Date:** _____

Property Taxes: () Current () Delinquent Year(s) Due _____
(Property taxes must be current to qualify and will be verified by CDBG staff)

OWNER'S SIGNATURE

Owner's Signature: _____ **Date:** _____

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

FOR OFFICE USE ONLY

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

SIGNATURE _____ TITLE _____

COMMENTS/REMARKS _____

****ATTENTION APPLICANT****

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

**CITY OF MUSKEGON
WASHINGTON, FRANKLIN TO LAKESHORE DR.**

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By MARCH 11,2003

Project Title: WASHINGTON, FRANKLIN TO LAKESHORE DR.

Project Description RECONSTRUCTION

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address:

Parcel Number 24-XXX-XXX-XXXX-XX

Assessable Frontage: 114 Feet

Estimated Front Foot Cost: \$35.50 per Foot

ESTIMATED TOTAL COST \$4,047.00

Property Description

CITY OF MUSKEGON
REVISED PLAT OF 1903
BLK 471
LOT 21

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 the 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:

**Washington Ave., Franklin St. to Lakeshore Drive
and
Hackley Ave., Hudson St. to Seaway Drive**

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

- **All parcels abutting Washington Ave. from Franklin St. to Lakeshore Drive**
- **All parcels abutting Hackley Ave. from Hudson St. to Seaway Drive**

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 11, 2003 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 1, 2003**

Gail Kunding, City Clerk

ADA POLICY

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

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

SPECIAL ASSESSMENT

H 1559

RECONSTRUCTION

HEARING DATE

MARCH 11, 2003

WASHINGTON, FRANKLIN TO LAKESHORE DR.

24-205-471-0011-00	KOSCINSKI PAULINE TRUST	ASSESSABLE FEET:	50
	1196 WASHINGTON AVE	COST PER FOOT:	\$35.50
@ 1196.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$1,775.00
24-205-471-0011-10	WRIGHT ANTHONY D/TAMMY M	ASSESSABLE FEET:	49
	1188 WASHINGTON AVE	COST PER FOOT:	\$35.50
@ 1188.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$1,739.50
24-205-471-0012-00	BLOOD RUSSELL L	ASSESSABLE FEET:	49.5
	480 W MAPLEWOOD	COST PER FOOT:	\$35.50
@ 1182.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$1,757.25
24-205-471-0013-00	LOCKHART MARIE	ASSESSABLE FEET:	91.18
	1174 WASHINGTON AVE	COST PER FOOT:	\$35.50
@ 1174.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$3,236.89
24-205-471-0015-00	JAYNE MICHAEL E	ASSESSABLE FEET:	71.86
	1154 WASHINGTON AVE	COST PER FOOT:	\$35.50
@ 1154.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$2,551.03
24-205-471-0016-00	FRY NOVA JEANNE	ASSESSABLE FEET:	40
	2461 HADDEN ST	COST PER FOOT:	\$35.50
@ 1148.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$1,420.00
24-205-471-0017-00	SMITH VICKI S	ASSESSABLE FEET:	49.5
	1142 WASHINGTON AVE	COST PER FOOT:	\$35.50
@ 1142.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$1,757.25

WASHINGTON, FRANKLIN TO LAKESHORE DR.

24-205-471-0018-00	JDR PROPERTIES LLC PO BOX 145 @ 1136. WASHINGT FRUITPORT MI	ASSESSABLE FEET: 49.5 COST PER FOOT: \$35.50 <u>ESTIMATED P.O. COST:</u> \$1,757.25
24-205-471-0019-00	MARSHALL JOHN A 1405 BARCLAY ST @ 1130. WASHINGT MUSKEGON MI	ASSESSABLE FEET: 49.5 COST PER FOOT: \$35.50 <u>ESTIMATED P.O. COST:</u> \$1,757.25
24-205-471-0021-00	FOREST TRUMAN 1208 WASHINGTON AVE @ 1208. WASHINGT MUSKEGON MI	ASSESSABLE FEET: 114 COST PER FOOT: \$35.50 <u>ESTIMATED P.O. COST:</u> \$4,047.00
24-205-472-0011-10	CISNEROS ALICE 1110 WASHINGTON AVE @ 1110. WASHINGT MUSKEGON MI	ASSESSABLE FEET: 82.5 COST PER FOOT: \$35.50 <u>ESTIMATED P.O. COST:</u> \$2,928.75
24-205-472-0013-00	CITY OF MUSKEGON @ 1100. WASHINGT	ASSESSABLE FEET: 66 COST PER FOOT: \$35.50 <u>ESTIMATED P.O. COST:</u> \$2,343.00
24-205-472-0014-00	JENSEN RODNEY L 1021 RIPPLE CREEK RD @ 1088. WASHINGT HESPERIA MI	ASSESSABLE FEET: 49.5 COST PER FOOT: \$35.50 <u>ESTIMATED P.O. COST:</u> \$1,757.25
24-205-472-0015-00	BURNS PAUL EDWARD 1082 WASHINGTON AVE @ 1082. WASHINGT MUSKEGON MI	ASSESSABLE FEET: 49.5 COST PER FOOT: \$35.50 <u>ESTIMATED P.O. COST:</u> \$1,757.25

WASHINGTON, FRANKLIN TO LAKESHORE DR.

24-205-472-0016-00	KEETON GEORGE Z	ASSESSABLE FEET:	49.5
	1072 WASHINGTON AVE	COST PER FOOT:	\$35.50
@ 1072.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$1,757.25
24-205-472-0017-00	FEDEWA THOMAS R/BARBARA	ASSESSABLE FEET:	72.4
	4142 FENNER RD	COST PER FOOT:	\$35.50
@ 1068.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$2,570.20
24-205-472-0018-10	GREER TIMOTHY E	ASSESSABLE FEET:	57.75
	1046 WASHINGTON AVE	COST PER FOOT:	\$35.50
@ 1046.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$2,050.13
24-205-480-0001-00	GOMEZ ANTHONY S	ASSESSABLE FEET:	89.1
	6884 WILDWOOD CT	COST PER FOOT:	\$35.50
@ 1043.	WASHINGT FRUITPORT MI	ESTIMATED P.O. COST:	\$3,163.05
24-205-480-0003-00	STATE OF MICHIGAN	ASSESSABLE FEET:	49.5
	PO BOX 30735	COST PER FOOT:	\$35.50
@ 1057.	WASHINGT LANSING MI	ESTIMATED P.O. COST:	\$1,757.25
24-205-480-0004-00	LOWERY JAMES B	ASSESSABLE FEET:	49.5
	1065 WASHINGTON AVE	COST PER FOOT:	\$35.50
@ 1065.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$1,757.25
24-205-480-0005-00	FERRARI HUGO J	ASSESSABLE FEET:	49.5
	PO BOX 5405	COST PER FOOT:	\$35.50
@ 1075.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$1,757.25

WASHINGTON, FRANKLIN TO LAKESHORE DR.

24-205-480-0006-00	STEELE DONALD G/BEAGLE LIS	ASSESSABLE FEET:	49.5
	1083 WASHINGTON AVE	COST PER FOOT:	\$35.50
@ 1083.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$1,757.25
24-205-480-0007-00	CITY OF MUSKEGON	ASSESSABLE FEET:	49.5
		COST PER FOOT:	\$35.50
@ 1089.	WASHINGT	ESTIMATED P.O. COST:	\$1,757.25
24-205-480-0008-00	JDR PROPERTIES LLC	ASSESSABLE FEET:	49.5
	PO BOX 145	COST PER FOOT:	\$35.50
@ 1095.	WASHINGT FRUITPORT MI	ESTIMATED P.O. COST:	\$1,757.25
24-205-480-0009-00	MONA VIEW HOLDINGS LLC	ASSESSABLE FEET:	25
	P O BOX 4938	COST PER FOOT:	\$35.50
@ 1101.	WASHINGT MUSKEGON HTS MI	ESTIMATED P.O. COST:	\$887.50
24-205-480-0009-10	CITY OF MUSKEGON	ASSESSABLE FEET:	25
		COST PER FOOT:	\$35.50
@ 1105.	WASHINGT	ESTIMATED P.O. COST:	\$887.50
24-205-480-0010-00	THERRIAN JAMES O	ASSESSABLE FEET:	49.5
	11033 NICHOLS RD	COST PER FOOT:	\$35.50
@ 1442.	BARCLAY S HOLTON MI	ESTIMATED P.O. COST:	\$1,757.25
24-205-481-0001-10	M THREE LLC	ASSESSABLE FEET:	49.5
	3361 FULTON AVE	COST PER FOOT:	\$35.50
@ 1129.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$1,757.25

WASHINGTON, FRANKLIN TO LAKESHORE DR.

24-205-481-0002-00	DEBOEF MARIAN	ASSESSABLE FEET:	49.5
	1135 WASHINGTON AVE	COST PER FOOT:	\$35.50
@ 1135.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$1,757.25
24-205-481-0003-00	BOLT ALLAN L	ASSESSABLE FEET:	49.5
	1143 WASHINGTON AVE	COST PER FOOT:	\$35.50
@ 1143.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$1,757.25
24-205-481-0004-00	WESTCOMB ALLEN R/CATHERI	ASSESSABLE FEET:	49.5
	1147 WASHINGTON AVE	COST PER FOOT:	\$35.50
@ 1147.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$1,757.25
24-205-481-0005-00	HOWARD NANCY L	ASSESSABLE FEET:	49.5
	1157 WASHINGTON AVE	COST PER FOOT:	\$35.50
@ 1157.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$1,757.25
24-205-481-0006-00	USHER HOWARD J/KATHY L	ASSESSABLE FEET:	51.8
	1163 WASHINGTON AVE	COST PER FOOT:	\$35.50
@ 1163.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$1,838.90
24-205-481-0007-00	FERRIS DIANNE M	ASSESSABLE FEET:	51.8
	1171 WASHINGTON AVE	COST PER FOOT:	\$35.50
@ 1171.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$1,838.90
24-205-481-0008-00	TOURRE VIOLET L	ASSESSABLE FEET:	128.5
	1187 WASHINGTON AVE	COST PER FOOT:	\$35.50
@ 1187.	WASHINGT MUSKEGON MI	ESTIMATED P.O. COST:	\$4,561.75

WASHINGTON, FRANKLIN TO LAKESHORE DR.

24-510-000-0001-00	WORKMAN BARBARA 1249 LAKESHORE DR	ASSESSABLE FEET: 5.17 COST PER FOOT: \$35.50 <u>ESTIMATED P.O. COST:</u> \$183.54
@ 1249.	LAKESHOR MUSKEGON MI	
24-510-000-0002-00	ALEY THELMA M/ALEY P DON 1249 LAKESHORE DR	ASSESSABLE FEET: 5.17 COST PER FOOT: \$35.50 <u>ESTIMATED P.O. COST:</u> \$183.54
@ 1249.	LAKESHOR MUSKEGON MI	
24-510-000-0003-00	RADELL BERNICE M 1249 LAKESHORE DR A 128	ASSESSABLE FEET: 5.17 COST PER FOOT: \$35.50 <u>ESTIMATED P.O. COST:</u> \$183.54
@ 1249.	LAKESHOR MUSKEGON MI	
24-510-000-0004-00	AARDEMA TERRY/RUTH 16 BAMBI LN	ASSESSABLE FEET: 5.17 COST PER FOOT: \$35.50 <u>ESTIMATED P.O. COST:</u> \$183.54
@ 1249.	LAKESHOR MUSKEGON MI	
24-510-000-0005-00	CARLSON TRUST 427 BARBADAS	ASSESSABLE FEET: 4.43 COST PER FOOT: \$35.50 <u>ESTIMATED P.O. COST:</u> \$157.27
@ 1249.	LAKESHOR LAKELAND FL	
24-510-000-0006-00	GURN RAY/RUTH/GURN TONI T 1249 LAKESHORE CT #114	ASSESSABLE FEET: 4.43 COST PER FOOT: \$35.50 <u>ESTIMATED P.O. COST:</u> \$157.27
@ 1249.	LAKESHOR MUSKEGON MI	
24-510-000-0007-00	VELTMAN REVOCABLE TRUST 1249 LAKESHORE DR APT 129	ASSESSABLE FEET: 4.8 COST PER FOOT: \$35.50 <u>ESTIMATED P.O. COST:</u> \$170.40
@ 1249.	LAKESHOR MUSKEGON MI	

WASHINGTON, FRANKLIN TO LAKESHORE DR.

24-510-000-0008-00	HARTMAN MARY REVOCABLE T	ASSESSABLE FEET:	4.8
	1249 LAKESHORE DR APT 119	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MUSKEGON MI	ESTIMATED P.O. COST:	\$170.40

24-510-000-0009-00	FOUNTAIN MARY M	ASSESSABLE FEET:	4.16
	1180 W NORTON AVE UNIT 1	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MUSKEGON MI	ESTIMATED P.O. COST:	\$147.68

24-510-000-0010-00	HARTMAN MARY REVOCABLE T	ASSESSABLE FEET:	4.16
	1249 LAKESHORE DR APT 119	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MUSKEGON MI	ESTIMATED P.O. COST:	\$147.68

24-510-000-0011-00	TERBEEK RUTH	ASSESSABLE FEET:	4.16
	1249 LAKESHORE DR A 135	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MUSKEGON MI	ESTIMATED P.O. COST:	\$147.68

24-510-000-0012-00	TEMPLE ELAINE	ASSESSABLE FEET:	4.99
	1249 LAKESHORE DR A 134	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MUSKEGON MI	ESTIMATED P.O. COST:	\$177.15

24-510-000-0013-00	BERGMAN THELMA A	ASSESSABLE FEET:	4.8
	1249 LAKESHORE DR A 139	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MUSKEGON MI	ESTIMATED P.O. COST:	\$170.40

24-510-000-0015-00	LAMBERT PHILLIP J/DAYNA J TR	ASSESSABLE FEET:	4.16
	PO BOX 283	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MONTAGUE MI	ESTIMATED P.O. COST:	\$147.68

WASHINGTON, FRANKLIN TO LAKESHORE DR.

24-510-000-0016-00	BOSCH DONNA J TRUST 1249 LAKESHORE DR #205	ASSESSABLE FEET: 5.27 COST PER FOOT: \$35.50 ESTIMATED P.O. COST: \$187.09
@ 1249.	LAKESHOR MUSKEGON MI	
24-510-000-0017-00	BENHAM FAMILY TRUST 1249 LAKESHORE DR #104	ASSESSABLE FEET: 5.27 COST PER FOOT: \$35.50 ESTIMATED P.O. COST: \$187.09
@ 1249.	LAKESHOR MUSKEGON MI	
24-510-000-0018-00	SWEET PHYLLIS TRUST 1249 LAKESHORE #228	ASSESSABLE FEET: 6.47 COST PER FOOT: \$35.50 ESTIMATED P.O. COST: \$229.69
@ 1249.	LAKESHOR MUSKEGON MI	
24-510-000-0019-00	MORRELL MARY E 1249 LAKESHORE DR APT 218	ASSESSABLE FEET: 6.47 COST PER FOOT: \$35.50 ESTIMATED P.O. COST: \$229.69
@ 1249.	LAKESHOR MUSKEGON MI	
24-510-000-0020-00	BETKA JANE/MEYERING GERAL 1249 LAKESHORE DR A229	ASSESSABLE FEET: 4.8 COST PER FOOT: \$35.50 ESTIMATED P.O. COST: \$170.40
@ 1249.	LAKESHOR MUSKEGON MI	
24-510-000-0021-00	LAMBERT PHILLIP J/DAYNA J PO BOX 283	ASSESSABLE FEET: 4.8 COST PER FOOT: \$35.50 ESTIMATED P.O. COST: \$170.40
@ 1249.	LAKESHOR MONTAGUE MI	
24-510-000-0022-00	HILL TYRONE 1249 LAKESHORE DR A 225	ASSESSABLE FEET: 4.16 COST PER FOOT: \$35.50 ESTIMATED P.O. COST: \$147.68
@ 1249.	LAKESHOR MUSKEGON MI	

WASHINGTON, FRANKLIN TO LAKESHORE DR.

24-510-000-0023-00	COFFIN JAMES	ASSESSABLE FEET:	4.16
	1066 RANDALL RD	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MUSKEGON MI	ESTIMATED P.O. COST:	\$147.68
24-510-000-0024-00	BRANSTROM R D	ASSESSABLE FEET:	4.16
	1249 LAKESHORE DR A 235	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MUSKEGON MI	ESTIMATED P.O. COST:	\$147.68
24-510-000-0025-00	DEMPSEY ALYCE	ASSESSABLE FEET:	4.99
	1249 LAKESHORE DR #234	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MUSKEGON MI	ESTIMATED P.O. COST:	\$177.15
24-510-000-0026-00	MARCEAU DOROTHY REV TRUS	ASSESSABLE FEET:	4.8
	1249 LAKESHORE DR A 239	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MUSKEGON MI	ESTIMATED P.O. COST:	\$170.40
24-510-000-0028-00	SPOELMAN AMANDA TRUST	ASSESSABLE FEET:	4.16
	1249 LAKESHORE DR	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MUSKEGON MI	ESTIMATED P.O. COST:	\$147.68
24-510-000-0029-00	HILT GEORGE E LIVING TRUST	ASSESSABLE FEET:	9.79
	PO BOX 629	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MUSKEGON MI	ESTIMATED P.O. COST:	\$347.55
24-510-000-0030-00	WHITTAKER HAZEL TRUST	ASSESSABLE FEET:	6.47
	1249 LAKESHORE DR A 328	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MUSKEGON MI	ESTIMATED P.O. COST:	\$229.69

WASHINGTON, FRANKLIN TO LAKESHORE DR.

24-510-000-0031-00	OSBORN ROY C ET AL	ASSESSABLE FEET:	11.27
	1249 LAKESHORE DR #318	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MUSKEGON MI	ESTIMATED P.O. COST:	\$400.09
24-510-000-0032-00	SODERSTROM MARJORIE	ASSESSABLE FEET:	4.8
	1249 LAKESHORE DR A 329	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MUSKEGON MI	ESTIMATED P.O. COST:	\$170.40
24-510-000-0034-00	WASSERMAN CHRISTINE M	ASSESSABLE FEET:	4.16
	9200 WOODLAND DR	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR ONEKAMA MI	ESTIMATED P.O. COST:	\$147.68
24-510-000-0035-00	SCHUITEMAN REBECCA S	ASSESSABLE FEET:	4.16
	1249 LAKESHORE DR A 315	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MUSKEGON MI	ESTIMATED P.O. COST:	\$147.68
24-510-000-0036-00	MCKINLEY PATRICIA E	ASSESSABLE FEET:	4.16
	507 CITADEL CIRCLE DR	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR WESTMONT IL	ESTIMATED P.O. COST:	\$147.68
24-510-000-0037-00	VANREES LEON/KAY	ASSESSABLE FEET:	4.99
	1249 LAKESHORE DR #37	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MUSKEGON MI	ESTIMATED P.O. COST:	\$177.15
24-510-000-0038-00	WINSEMIUS RUSSELL A/HELEN	ASSESSABLE FEET:	4.8
	1249 LAKESHORE DR	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MUSKEGON MI	ESTIMATED P.O. COST:	\$170.40

WASHINGTON, FRANKLIN TO LAKESHORE DR.

24-510-000-0040-00	ABBOTT J/VANDERWALL K	ASSESSABLE FEET:	4.16
	2704 GEORGETOWN	COST PER FOOT:	\$35.50
@ 1249.	LAKESHOR MIDLAND MI	ESTIMATED P.O. COST:	\$147.68

SUM OF ASSESSABLE FOOTAGE:	<u>2190.23</u>	<u>SUM OF ESTIMATED P.O. COST:</u>	<u>\$77,753.17</u>
TOTAL NUMBER OF ASSESSABLE PARCELS	71.00		

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By MARCH 11, 2003

Project Title: WASHINGTON, FRANKLIN TO LAKESHORE DR.

Project Description RECONSTRUCTION

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

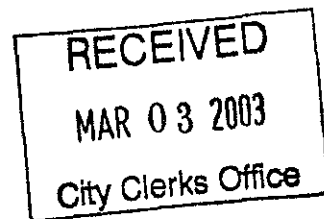
Property Address: 1143 WASHINGTON AVE.

Parcel Number 24-205-481-0003-00

Assessable Frontage: 49.5 Feet

Estimated Front Foot Cost: \$35.50 per Foot

ESTIMATED TOTAL COST \$1,757.25



Property Description

CITY OF MUSKEGON
REVISED PLAT OF 1903
BLK 481
LOT 3

Your vote COUNTS!

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

I AM IN FAVOR



NO

I AM OPPOSED



Owner

Al Bolt

CoOwner/Spouse

MARY BOLT

Signature

Al Bolt

Signature

Mary Bolt

Address

1143 WASHINGTON

Address

1143 WASHINGTON

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **WASHINGTON, FRANKLIN TO LAKESHORE DR.**

Project Description **RECONSTRUCTION**

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address: **1088 WASHINGTON AVE.**

Parcel Number **24-205-472-0014-00**

Assessable Frontage: **49.5** Feet

Estimated Front Foot Cost: **\$35.50** per Foot

ESTIMATED TOTAL COST \$1,757.25

Property Description

CITY OF MUSKOGON
REVISED PLAT OF 1903
BLK 472
LOT 14

RECEIVED

MAR 05 2003

City Clerks Office

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

Rodney L. Jensen

CoOwner/Spouse

Lea Rae Jensen

Signature

Rodney L. Jensen

Signature

Lea R. Jensen

Home

Address

1021 RIPLEY CREEK RD.
HESPERIA MI 49421

Home

Address

1021 RIPLEY CREEK RD.
HESPERIA MI 49421

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

PROPERTY: 1088 WASHINGTON
ADDRESS: MUSKOGON MI. 49441

PROPERTY: 1088 WASHINGTON
ADDRESS: MUSKOGON MI. 49441

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **WASHINGTON, FRANKLIN TO LAKESHORE DR.**

Project Description **RECONSTRUCTION**

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address: **1442 BARCLAY ST.**

Parcel Number **24-205-480-0010-00**

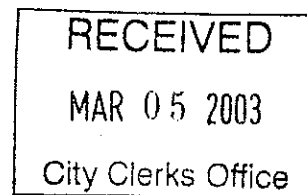
Assessable Frontage: **49.5** Feet

Estimated Front Foot Cost: **\$35.50** per Foot

ESTIMATED TOTAL COST \$1,757.25

Property Description

CITY OF MUSKEGON
REVISED PLAT OF 1903
BLK 480
N 1/2 LOT 10



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 James O. Therrien CoOwner/Spouse _____

Signature James O. Therrien Signature _____

Address 11037 Nichols rd Address _____

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **WASHINGTON, FRANKLIN TO LAKESHORE DR.**

Project Description **RECONSTRUCTION**

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address: **1249 LAKESHORE DR.**

Parcel Number **24-510-000-0031-00**

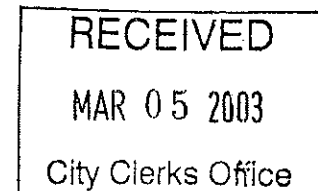
Assessable Frontage: **11.27** Feet

Estimated Front Foot Cost: **\$35.50** per Foot

ESTIMATED TOTAL COST \$400.09

Property Description

UNITS 31 & 33 LAKESHORE HOUSE CONDOMINIUM
MUSKEGON COUNTY CONDOMINIUM SUBDIV PLAN #3



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 ROY C. OSBORN CoOwner/Spouse RUTH E. OSBORN

Signature *Roy C. Osborn* Signature *Ruth E. Osborn*

Address 1249 Lakeshore Dr. 318 Address 1249 Lakeshore Dr. 318

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By MARCH 11, 2003

Project Title: WASHINGTON, FRANKLIN TO LAKESHORE DR.

Project Description RECONSTRUCTION

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address:

1249 LAKESHORE DR.

Parcel Number

24-510-000-0006-00

Assessable Frontage:

4.43 Feet

Estimated Front Foot Cost:

\$35.50 per Foot

ESTIMATED TOTAL COST

\$157.27

Property Description

UNIT 6 LAKESHORE HOUSE CONDOMINIUM MUSKEGON COUNTY CONDOMINIUM SUBDIV PLAN #3

RECEIVED

MAR 05 2003

City Clerks Office

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

Ray W. Gurn

CoOwner/Spouse

Toni Rae Gurn Living Trust

Signature

Ray W. Gurn

Signature

Toni Rae Gurn

Address

1249 Lakeshore Dr #114

Address

1249 Lakeshore Dr #114

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **WASHINGTON, FRANKLIN TO LAKESHORE DR.**

Project Description **RECONSTRUCTION**

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address:

1249 LAKESHORE DR.

Parcel Number

24-510-000-0021-00

Assessable Frontage:

4.8 Feet

Estimated Front Foot Cost:

\$35.50 per Foot

ESTIMATED TOTAL COST

\$170.40

Property Description

UNIT 21 LAKESHORE HOUSE CONDOMINIUM MUSKEGON COUNTY CONDOMINIUM SUBDIV PLAN #3

RECEIVED

MAR 05 2003

City Clerks Office

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

Phil Lambert

CoOwner/Spouse

Signature

Phil Lambert

Signature

Address

P.O. Box 283 Montague 49437

Address

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By MARCH 11, 2003

Project Title: WASHINGTON, FRANKLIN TO LAKESHORE DR.

Project Description RECONSTRUCTION

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address:

1249 LAKESHORE DR.

Parcel Number

24-510-000-0015-00

Assessable Frontage:

4.16 Feet

Estimated Front Foot Cost:

\$35.50 per Foot

ESTIMATED TOTAL COST

\$147.68

Property Description

CITY OF MUSKEGON
LAKESHORE HOUSE CONDOMINIUM
MUSKEGON COUNTY CONDOMINIUM SUBDIV PLAN #3
UNIT 15

RECEIVED

MAR 05 2003

City Clerks Office

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

Phil Lambert

CoOwner/Spouse

Signature

Phil Lambert

Signature

Address P.O. Box 283 Montague 49437

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

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

I AM IN FAVOR



I AM OPPOSED



Owner

ALYCE DEMPSEY

CoOwner/Spouse

Signature

Alyce Dempsey

Signature

Address

1249 Lakeshore Dr. Apt

Address

Muskegon MI 49441-1647

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

RECEIVED

MAR 05 2003

City Clerks Office

59



Alyce V. Dempsey
1249 Lakeshore Dr. Apt. 234
Muskegon, MI 49441-1647



City Clerk

City of Muskegon

P.O. Box 536 City Hall

933 Terrace St

Muskegon, MI

43440+1342

49443-0536

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By MARCH 11,2003

Project Title: WASHINGTON, FRANKLIN TO LAKESHORE DR.

Project Description RECONSTRUCTION

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address:

1196 WASHINGTON AVE

Parcel Number

24-205-471-0011-00

Assessable Frontage:

50 Feet

Estimated Front Foot Cost:

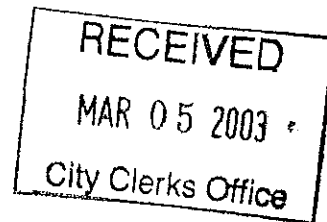
\$35.50 per Foot

ESTIMATED TOTAL COST

\$1,775.00

Property Description

CITY OF MUSKEGON
REVISED PLAT OF 1903
BLK 471
W 50 FT LOT 11



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 PAULINE ROSCINSKI CoOwner/Spouse DECEASED

Signature Pauline Roscinski Signature _____

Address 1196 WASHINGTON Address _____

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **WASHINGTON, FRANKLIN TO LAKESHORE DR.**

Project Description **RECONSTRUCTION**

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address: **1147 WASHINGTON AVE.**

Parcel Number **24-205-481-0004-00**

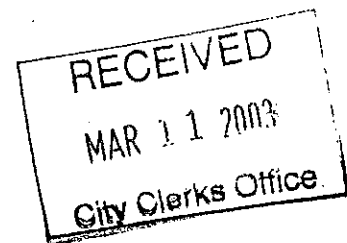
Assessable Frontage: **49.5** Feet

Estimated Front Foot Cost: **\$35.50** per Foot

ESTIMATED TOTAL COST \$1,757.25

Property Description

CITY OF MUSKEGON
REVISED PLAT OF 1903
BLK 481
LOT 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

Allen Westcomb

CoOwner/Spouse

Catherine Westcomb

Signature

Allen Westcomb

Signature

Catherine Westcomb

Address

1147 Washington Ave.

Address

1147 Washington Ave.

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **WASHINGTON, FRANKLIN TO LAKESHORE DR.**

Project Description **RECONSTRUCTION**

INSTRUCTIONS

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Assessment Information

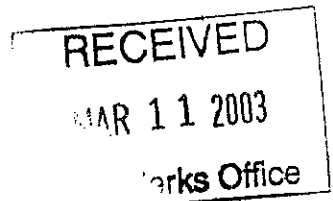
Property Address: **1249 LAKESHORE DR.**

Parcel Number **24-510-000-0004-00**

Assessable Frontage: **5.17** Feet

Estimated Front Foot Cost: **\$35.50** per Foot

ESTIMATED TOTAL COST \$183.54



Property Description

UNIT #4 LAKESHORE HOUSE CONDOMINIUM MUSKEGON COUNTY CONDOMINIUM SUBDIV PLAN #3

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: Terry Aardema CoOwner/Spouse

Signature: Terry L Aardema Signature

Address: 16 Bambi Muskegon Address

Ruth Aardema

Signature: Ruth Aardema

Address: 16 Bambi Muskegon

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By MARCH 11,2003

Project Title: WASHINGTON, FRANKLIN TO LAKESHORE DR.

Project Description RECONSTRUCTION

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. **IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.**

Assessment Information

Property Address: 1130 WASHINGTON AVE.

Parcel Number 24-205-471-0019-00

Assessable Frontage: 49.5 Feet

Estimated Front Foot Cost: \$35.50 per Foot

ESTIMATED TOTAL COST \$1,757.25

Property Description

CITY OF MUSKEGON
REVISED PLAT OF 1903
BLK 471
S 78.5 FT OF LOT 19

RECEIVED

MAR 11 2003

City Clerks Office

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

John Marshall

CoOwner/Spouse

Marva Marshall

Signature

John Marshall

Signature

Marva Marshall

Address

1405 Barclay

Address

1405 Barclay

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

1130 Washington

**SPECIAL ASSESSMENT
HEARING RESPONSE CARD**

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **WASHINGTON, FRANKLIN TO LAKESHORE DR.**

Project Description **RECONSTRUCTION**

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address: **1299 LAKESHORE DR.**

Parcel Number **24-510-000-0005-00**

Assessable Frontage: **4.43** Feet

Estimated Front Foot Cost: **\$35.50** per Foot

ESTIMATED TOTAL COST \$157.27

Property Description

UNIT #5 LAKESHORE HOUSE CONDOMINIUM MUSKEGON COUNTY CONDOMINIUM SUBDIV PLAN #8

RECEIVED

MAR 11 2003

City Clerks Office

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 Carlson Trust - Carl M. Carlson Co Owner/Spouse

Carlson Trust Matilda J. Carlson

Signature Carl M. Carlson

Signature Matilda J. Carlson

Address 427 Barbados Cir Lakeland, FL 33803

Address 427 Barbados Cir Lakeland FL 33803

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By MARCH 11,2003

Project Title: WASHINGTON, FRANKLIN TO LAKESHORE DR.

Project Description RECONSTRUCTION

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 stapler prior to mailing. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address:

1135 WASHINGTON AVE.

Parcel Number

24-205-481-0002-00

Assessable Frontage:

49.5 Feet

Estimated Front Foot Cost:

\$35.50 per Foot

ESTIMATED TOTAL COST

\$1,757.25

Property Description

CITY OF MUSKEGON
REVISED PLAT OF 1903
BLK 481
LOT 2
EX E 10 FT OF S 75 FT



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

Marion D. Boef

CoOwner/Spouse

Signature

Marion D. Boef

Signature

Address

1135 Washington Ave.

Address

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **WASHINGTON, FRANKLIN TO LAKESHORE DR.**

Project Description **RECONSTRUCTION**

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. **IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.**

Assessment Information

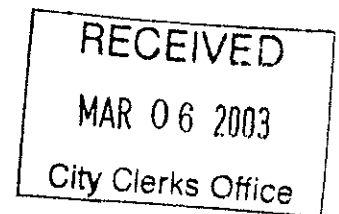
Property Address: **1110 WASHINGTON AVE.**

Parcel Number **24-205-472-0011-10**

Assessable Frontage: **82.5** Feet

Estimated Front Foot Cost: **\$35.50** per Foot

ESTIMATED TOTAL COST \$2,928.75



Property Description

CITY OF MUSKEGON
REVISED PLAT OF 1903
BLK 472
LOT 11
& W 2/3 OF LOT 12

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 Alice Cisneros CoOwner/Spouse _____

Signature Alice Cisneros Signature _____

Address 1110 Washington Ave Address _____

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By MARCH 11, 2003

Project Title: WASHINGTON, FRANKLIN TO LAKESHORE DR.

Project Description RECONSTRUCTION

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address:

1249 LAKESHORE DR.

Parcel Number

24-510-000-0013-00

Assessable Frontage:

4.8 Feet

Estimated Front Foot Cost:

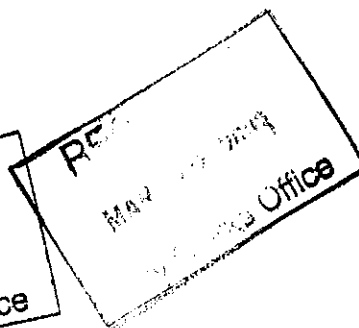
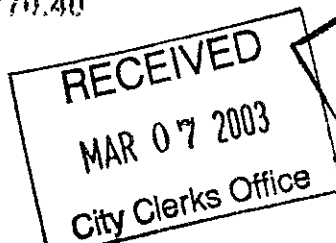
\$35.50 per Foot

ESTIMATED TOTAL COST

\$170.40

Property Description

CITY OF MUSKEGON
LAKESHORE HOUSE CONDOMINIUM
MUSKEGON COUNTY CONDOMINIUM SUBDIV PLAN #3
UNIT 13



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 Thelma Bergman CoOwner/Spouse _____

Signature Thelma Bergman Signature _____

Address 1249 Lakeshore Dr #139 Address _____

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By MARCH 11, 2003

Project Title: WASHINGTON, FRANKLIN TO LAKESHORE DR.

Project Description RECONSTRUCTION

INSTRUCTIONS

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Assessment Information

Property Address:

1249 LAKESHORE DR.

Parcel Number

24-510-000-0036-00

Assessable Frontage:

4.16 Feet

Estimated Front Foot Cost:

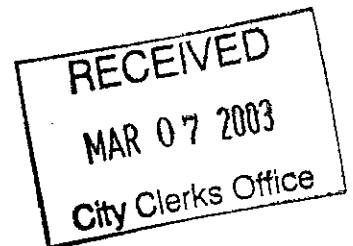
\$35.50 per Foot

ESTIMATED TOTAL COST

\$147.68

Property Description

UNIT 36 LAKESHORE HOUSE CONDOMINIUM MUSKEGON COUNTY CONDOMINIUM SUBDIV PLAN #3



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

Patricia E. McKinley

Co Owner/Spouse

Signature

Patricia E. McKinley

Signature

Address

1249 Lakeshore Dr #36
Muskegon, MI 49441

Address

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By MARCH 11, 2003

Project Title: WASHINGTON, FRANKLIN TO LAKESHORE DR.

Project Description RECONSTRUCTION

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address:

1082 WASHINGTON AVE.

Parcel Number

24-205-472-0015-00

Assessable Frontage:

49.5 Feet

Estimated Front Foot Cost:

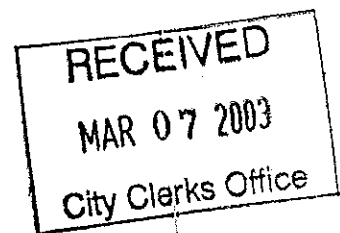
\$35.50 per Foot

ESTIMATED TOTAL COST

\$1,757.25

Property Description

CITY OF MUSKEGON
REVISED PLAT OF 1903
BLK 472
LOT 15



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

Paul Burns

CoOwner/Spouse

Signature

Paul Burns

Signature

Address

1082 Washington Ave
Muskegon Mi. 49441

Address

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

14

Does The City of Muskegon Really think this is a good time to ask Families to come up with money for Street Repairs. How many citizens are still out of work or working reduced hours as a result of Sept 11. Did Anyone take this into consideration. And most of us are still paying for the sidewalks

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **WASHINGTON, FRANKLIN TO LAKESHORE DR.**

Project Description **RECONSTRUCTION**

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address: **1187 WASHINGTON AVE.**

Parcel Number **24-205-481-0008-00**

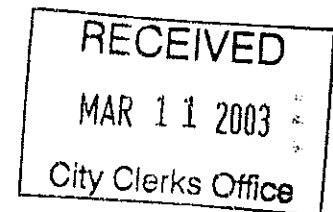
Assessable Frontage: **128.5** Feet

Estimated Front Foot Cost: **\$35.50** per Foot

ESTIMATED TOTAL COST \$4,561.75

Property Description

CITY OF MUSKEGON
REVISED PLAT OF 1903
BLK 481
LOT 6
& E 79 FT LOT 9



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 Violet L. Tourre CoOwner/Spouse _____

Signature Violet L. Tourre Signature _____

Address 1187 Washington Address _____

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **WASHINGTON, FRANKLIN TO LAKESHORE DR.**

Project Description **RECONSTRUCTION**

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. If **YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.**

Assessment Information

Property Address:

1157 WASHINGTON AVE

Parcel Number

24-205-481-0005-00

Assessable Frontage:

49.5 Feet

Estimated Front Foot Cost:

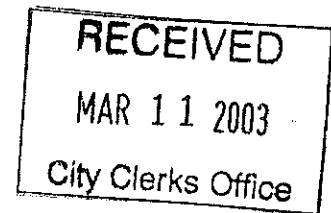
\$35.50 per Foot

ESTIMATED TOTAL COST

\$1,757.25

Property Description

CITY OF MUSKEGON
REVISED PLAT OF 1903
BLK 481
LOT 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

Nancy Baker

CoOwner/Spouse

Signature

Nancy Baker

Signature

Address

1157 W Washington

Address

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

H-1559 WASHINGTON AVE, FRANKLIN ST. TO LAKESHORE DR.

PROPERTY OWNER SPECIAL ASSESSMENT RESPONSE TABULATION

	FEET	PERCENTAGE	FOR					TOTAL NUMBER OF PARCELS - 71					OPPOSE		
			LETTER#	ST#	ST NAME	PARCEL#	FEET	LETTER#	ST#	ST NAME	PARCEL#	FEET			
TOTAL ASSESSABLE FRONT FOOTAGE	2191.070 ***		59	1249	LAKESHORE	24-510-000-0025-00	49.50	26	1442	BARCLAY	24-205-480-0010-00	49.50			
			41	1249	LAKESHORE	24-510-000-0006-00	4.99	84	1249	LAKESHORE	24-510-000-0031-00	11.27			
FRONT FEET OPPOSED	695.79	31.76%	36	1249	LAKESHORE	24-510-000-0001-00	4.43	55	1249	LAKESHORE	24-510-000-0021-00	4.80			
			10	1130	WASHINGTON	24-205-471-0019-00	5.17	49	1249	LAKESHORE	24-510-000-0015-00	4.16			
RESPONDING FRONT FEET IN FAVOR	68.520	3.13%						48	1249	LAKESHORE	24-510-000-0013-00	4.80			
								68	1249	LAKESHORE	24-510-000-0036-00	4.16			
NOT RESPONDING - FRONT FEET IN FAVOR	1426.760	65.12%						40	1249	LAKESHORE	24-510-000-0005-00	4.43			
								39	1249	LAKESHORE	24-510-000-0004-00	5.17			
TOTAL FRONT FEET IN FAVOR	1495.280	68.24%						32	1075	WASHINGTON	24-205-480-0005-00	49.50			
								14	1082	WASHINGTON	24-205-472-0015-00	49.50			
								13	1088	WASHINGTON	24-205-472-0014-00	49.50			
								11	1110	WASHINGTON	24-205-472-0011-10	82.5			
								24	1135	WASHINGTON	24-205-481-0002-00	49.50			
								23	1143	WASHINGTON	24-205-481-0003-00	49.50			
								22	1147	WASHINGTON	24-205-481-0004-00	49.50			
								21	1157	WASHINGTON	24-205-481-0005-00	49.50			
								18	1187	WASHINGTON	24-205-481-0008-00	128.50			
								2	1196	WASHINGTON	24-205-471-0011-00	50.00			
			TOTALS					64.09					695.79		

H-1560 HACKLEY AVE., HUDSON ST. TO SEAWAY DR

PROPERTY OWNER SPECIAL ASSESSMENT RESPONSE TABULATION

	FEET	PERCENTAGE	TOTAL NUMBER OF PARCELS - 33									
			FOR				OPPOSE					
			LETTER#	ST#	ST NAME	PARCEL#	FEET	LETTER#	ST#	ST NAME	PARCEL#	FEET
TOTAL ASSESSABLE FRONT FOOTAGE	2179.250 ***							24	2214	CROWLEY	24-665-000-0088-00	80.00
								13	2190	HENRY	24-131-100-0012-00	216.50
FRONT FEET OPPOSED	1360.00	62.41%						26	2221	HENRY	24-665-000-0031-00	97.50
								20	2209	KINSEY	24-665-000-0272-00	78.00
RESPONDING FRONT FEET IN FAVOR	0.000	0.00%						33	695	W HACKLE	24-131-300-0032-00	80.00
								15	706	W HACKLE	24-735-000-0003-00	80.00
NOT RESPONDING - FRONT FEET IN FAVOR	819.250	37.59%						14	714	W HACKLE	24-735-000-0001-10	90.00
								30	737	W HACKLE	24-131-300-0018-00	80.00
TOTAL FRONT FEET IN FAVOR	819.250	37.59%						29	745	W HACKLE	24-131-300-0017-00	40.00
								28	767	W HACKLE	24-131-300-0008-00	64.00
								11	830	W HACKLE	24-665-000-0091-00	40.00
								10	834	W HACKLE	24-665-000-0092-00	40.00
								9	840	W HACKLE	24-665-000-0093-00	40.00
								8	854	W HACKLE	24-665-000-0148-00	40.00
								23	857	W HACKLE	24-665-000-0151-00	60.00
								22	865	W HACKLE	24-665-000-0210-00	39.00
								5	882	W HACKLE	24-665-000-0212-00	78.00
								21	888	W HACKLE	24-665-000-0208-00	78.00
								19	903	W HACKLE	24-665-000-0271-00	39.00

Date: March 11, 2003 2003-24 e)
To: Honorable Mayor and City Commissioners
From: Engineering
RE: Public Hearing
Create Special Assessment District for:
Hackley Ave., Hudson to Seaway

SUMMARY OF REQUEST:

To hold a public hearing on the proposed special assessment of the **Hackley Ave., Hudson to Seaway Dr. 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:

EXHIBIT A

Hackley Ave., Hudson to Seaway Dr.

SPECIAL ASSESSMENT DISTRICT

All properties abutting that section of Hackley Ave., from Hudson to Seaway Dr.

Exhibit A

Special Assessment District



W WESTERN AV

MICHIGAN AV

WASHINGTON AV

W GRAND AV

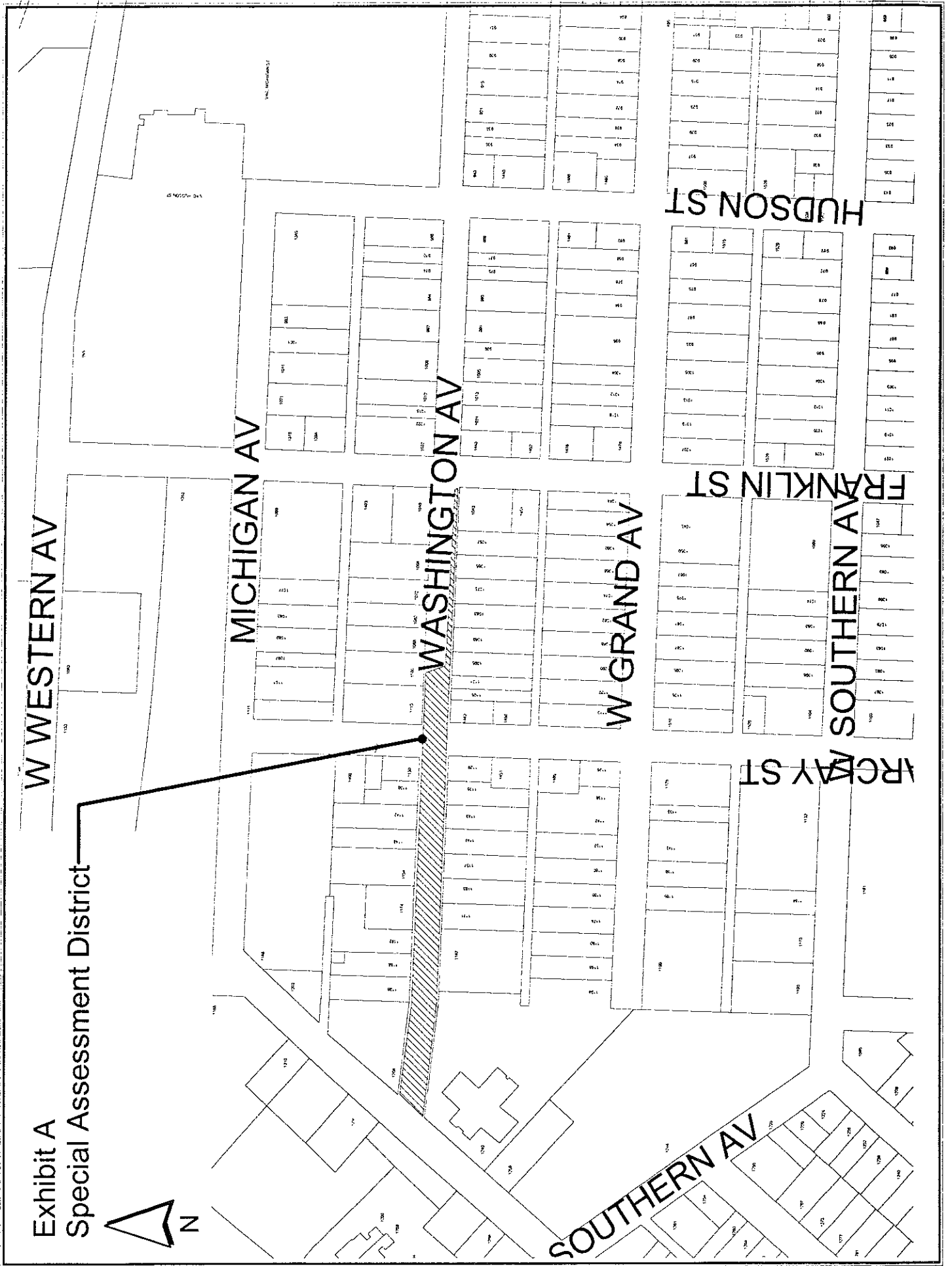
SOUTHERN AV

IRCKAY ST

SOUTHERN AV

FRANKLIN ST

HUDSON ST



ENGINEERING FEASIBILITY STUDY

For

HACKLEY AVE., HUDSON TO SEAWAY DR.

The proposed Milling & resurfacing of **Hackley** between Hudson & Seaway was initiated by the City due to the conditions it is in. The proposed resurfacing, we feel, is necessary to prevent this section of roadway from deteriorating to a point where resurfacing would no longer be a valid option and a complete reconstruction would then be necessary, resulting in a higher cost to the property owners as well as to the City.

Facts;

- The last major work on this section of Hackley was back in the mid seventies which was in conjunction with the construction of storm sewer.
- This section of Hackley has an average pavement condition index (PCI) of 42 out of a 100.
- A memorandum from the Assessor's office, which addresses appraisal and benefits to abutting properties, is attached.

The preliminary cost estimate for the work associated with paving is approximately \$160,000 with the length of the project being approximately 1700 lineal feet or 2179 of assessable footage. This translates into an estimated improvement cost of \$73 per assessable foot. The assessment figure will be at a cost not to exceed \$17.85 per assessable foot as established in the 2003 Special Assessment for this type of improvement.

MUSKEGON COUNTY

M I C H I G A N

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 25, 2003

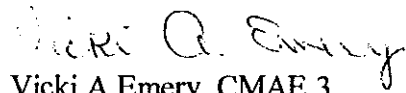
Mohammed Al-Shatel, City Engineer
City of Muskegon
933 Terrace Street
Muskegon, MI 49443

Mr. Al-Shatel:

In accordance with your request, I have examined the proposed special assessment district entailing the milling and resurfacing of W. Hackley Avenue between Hudson Street and Seaway Drive. 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 February 25, 2003.

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 commercial and residential properties. The front foot rate of \$17.85 for the milling and resurfacing of the above mentioned project area appears reasonable in light of an analysis that indicates a possible enhancement of \$18.76. The conclusions are based upon the data presented within this limited analysis in restricted format, and on supporting information in my files.

Sincerely,



Vicki A Emery, CMAE 3

Senior Appraiser

FEBRUARY 28, 2003

OWNERS NAME
OWNERS ADDRESS
MUSKEGON, MI 49441 1

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

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:

HACKLEY AVE., HUDSON ST. TO SEAWAY DR.

The proposed special assessment district will be located as follows:

All parcels abutting Hackley Hudson to Seaway

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 11, 2003 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, if the district is created, to confirm the special assessment roll after the project is completed. 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

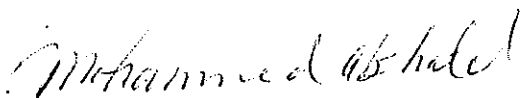
The total estimated cost of the street portion of the project is \$160,000.00 of which approximately 24.31% (\$38,899.61) will be paid by special assessment to property owners. Your property's estimated share of the special assessment is shown on the attached hearing response card. The remaining costs 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**.

STREET H-1560
HACKLEY, HUDSON ST. TO SEAWAY DR.
CDBG APPLICATION FOR WAIVER OF SPECIAL ASSESSMENT

HOUSEHOLD INFORMATION

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

(Please refer to your assessment letter for this information)

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

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

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

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

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

INCOME INFORMATION

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

PROPERTY INFORMATION

Proof Of Ownership: () Deed () Mortgage () Land Contract

Homeowner's Insurance Co: _____ **Expiration Date:** _____

Property Taxes: () Current () Delinquent Year(s) Due _____
(Property taxes must be current to qualify and will be verified by CDBG staff)

OWNER'S SIGNATURE

Owner's Signature: _____ **Date:** _____

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

FOR OFFICE USE ONLY

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

SIGNATURE _____ TITLE _____

COMMENTS/REMARKS _____

****ATTENTION APPLICANT****

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

CITY OF MUSKEGON
HACKLEY, HUDSON ST. TO SEAWAY DR.

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By MARCH 11,2003

Project Title: HACKLEY AVE., HUDSON ST. TO SEAWAY DR.

Project Description MILLING & RESURFACING

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address: PROPERTY ADDRESS & STREET

Parcel Number 24-XXX-XXX-XXXX-XX

Assessable Frontage: 73 Feet

Estimated Front Foot Cost: \$17.85 per Foot

ESTIMATED TOTAL COST \$1,303.05

Property Description

CITY OF MUSKEGON
ORCHARD GROVE ADDITION
LOT 333
& LOT 332
EXC E 5 FT THEROF

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 the 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:

**Washington Ave., Franklin St. to Lakeshore Drive
and
Hackley Ave., Hudson St. to Seaway Drive**

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

- **All parcels abutting Washington Ave. from Franklin St. to Lakeshore Drive**
- **All parcels abutting Hackley Ave. from Hudson St. to Seaway Drive**

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 11, 2003 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 1, 2003**

Gail Kunderinger, City Clerk

ADA POLICY

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

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

SPECIAL ASSESSMENT

H 1560

MILLING RESURFACING

HEARING DATE

MARCH 11,2003

HACKLEY AVE., HUDSON ST. TO SEAWAY DR.

24-131-100-0012-00	C N PROPERTIES LLC	ASSESSABLE FEET:	216.5
	2190 HENRY ST	COST PER FOOT:	\$17.85
@ 2190. HENRY ST	MUSKEGON MI	ESTIMATED P.O. COST:	\$3,864.53
24-131-300-0001-00	MUSKEGON LUBRICATION LLC	ASSESSABLE FEET:	51.75
	2208 HENRY ST	COST PER FOOT:	\$17.85
@ 2208. HENRY ST	MUSKEGON MI	ESTIMATED P.O. COST:	\$923.74
24-131-300-0008-00	WEST MI RUBBER & SUPPLY	ASSESSABLE FEET:	64
	767 W HACKLEY AVE	COST PER FOOT:	\$17.85
@ 767.0 W HACKLEY A	MUSKEGON MI	ESTIMATED P.O. COST:	\$1,142.40
24-131-300-0017-00	WMRS STORAGE COMPANY LL	ASSESSABLE FEET:	40
	767 W HACKLEY AVE	COST PER FOOT:	\$17.85
@ 745.0 W HACKLEY A	MUSKEGON MI	ESTIMATED P.O. COST:	\$714.00
24-131-300-0018-00	BAKER LULU/FRANKLIN	ASSESSABLE FEET:	80
	4087 NORTHLIGHT DR	COST PER FOOT:	\$17.85
@ 737.0 W HACKLEY A	NAPLES FL	ESTIMATED P.O. COST:	\$1,428.00
24-131-300-0019-00	MADISON JAMES E	ASSESSABLE FEET:	80
	719 W HACKLEY AVE	COST PER FOOT:	\$17.85
@ 719.0 W HACKLEY A	MUSKEGON MI	ESTIMATED P.O. COST:	\$1,428.00
24-131-300-0020-00	POLISKI ADAM	ASSESSABLE FEET:	40
	2229 POLISKI DR	COST PER FOOT:	\$17.85
@ 711.0 W HACKLEY A	MUSKEGON MI	ESTIMATED P.O. COST:	\$714.00

HACKLEY AVE., HUDSON ST. TO SEAWAY DR.

24-131-300-0032-00	FREES LAURELL L P O BOX 3975 @ 695.0 W HACKLEY A MUSKEGON HTS MI	ASSESSABLE FEET: 80 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,428.00
24-665-000-0028-00	SLATER CHARLES A/TAMMY 4670 WHITE RD @ 2185. HENRY ST MUSKEGON MI	ASSESSABLE FEET: 97.5 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,740.38
24-665-000-0031-00	V C ENTERPRISES 2221 HENRY ST @ 2221. HENRY ST MUSKEGON MI	ASSESSABLE FEET: 97.5 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,740.38
24-665-000-0088-00	CROWLEY PROPERTIES LLC 1213 HARBOR POINT DR @ 2214. CROWLEY S NORTON SHOR MI	ASSESSABLE FEET: 80 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,428.00
24-665-000-0090-00	BUDNIC JENNIE 1933 CROWLEY ST @ 831.0 W HACKLEY A MUSKEGON MI	ASSESSABLE FEET: 40 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$714.00
24-665-000-0091-00	SCHILLACI LAWRENCE J/DONN 2414 BLODGETT ST @ 830.0 W HACKLEY A MUSKEGON MI	ASSESSABLE FEET: 40 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$714.00
24-665-000-0092-00	HUTCHINSON GAIL A 834 W HACKLEY AVE @ 834.0 W HACKLEY A MUSKEGON MI	ASSESSABLE FEET: 40 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$714.00

HACKLEY AVE., HUDSON ST. TO SEAWAY DR.

24-665-000-0093-00	KUFEL VERA 840 W HACKLEY AVE @ 840.0 W HACKLEY A MUSKEGON MI	ASSESSABLE FEET: 40 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$714.00
24-665-000-0148-00	VIDETICH JAMES A 854 W HACKLEY AVE @ 854.0 W HACKLEY A MUSKEGON MI	ASSESSABLE FEET: 40 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$714.00
24-665-000-0149-00	VANDAM JOSEPH H/LISA M 868 W HACKLEY AVE @ 868.0 W HACKLEY A MUSKEGON MI	ASSESSABLE FEET: 80 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,428.00
24-665-000-0151-00	PANICI LEWIS/PEGGY/DAVID/KR 857 W HACKLEY AVE @ 857.0 W HACKLEY A MUSKEGON MI	ASSESSABLE FEET: 60 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,071.00
24-665-000-0208-00	FRAZINE GERALD 883 W HACKLEY AVE @ 883.0 W HACKLEY A MUSKEGON MI	ASSESSABLE FEET: 78 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$1,392.30
24-665-000-0210-00	FRAZINE GERALD 883 W HACKLEY AVE @ 865.0 W HACKLEY A MUSKEGON MI	ASSESSABLE FEET: 39 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$696.15
24-665-000-0211-00	VANDAM JOSEPH H/LISA M 868 W HACKLEY AVE @ 874.0 W HACKLEY A MUSKEGON MI	ASSESSABLE FEET: 39 COST PER FOOT: \$17.85 <u>ESTIMATED P.O. COST:</u> \$696.15

HACKLEY AVE., HUDSON ST. TO SEAWAY DR.

24-665-000-0212-00	SPRADER JAMES/SPRADER GA	ASSESSABLE FEET:	78
	882 W HACKLEY AVE	COST PER FOOT:	\$17.85
@ 882.0 W HACKLEY A	MUSKEGON MI	ESTIMATED P.O. COST:	\$1,392.30
24-665-000-0268-00	STONEBURNER SANDRA M	ASSESSABLE FEET:	39
	900 W HACKLEY AVE	COST PER FOOT:	\$17.85
@ 900.0 W HACKLEY A	MUSKEGON MI	ESTIMATED P.O. COST:	\$696.15
24-665-000-0269-00	STONEBURNER SANDRA M	ASSESSABLE FEET:	78
	900 W HACKLEY AVE	COST PER FOOT:	\$17.85
@ 912.0 W HACKLEY A	MUSKEGON MI	ESTIMATED P.O. COST:	\$1,392.30
24-665-000-0271-00	DAVIDSON KIRSTEN A/ROBERT	ASSESSABLE FEET:	39
	911 W HACKLEY AVE	COST PER FOOT:	\$17.85
@ 903.0 W HACKLEY A	MUSKEGON MI	ESTIMATED P.O. COST:	\$696.15
24-665-000-0272-00	VANDAMME EDDY A/DENA L	ASSESSABLE FEET:	78
	2209 KINSEY ST	COST PER FOOT:	\$17.85
@ 2209. KINSEY ST	MUSKEGON MI	ESTIMATED P.O. COST:	\$1,392.30
24-665-000-0327-00	BROWN SILVESTA/SYLVA	ASSESSABLE FEET:	58.5
	915 W HACKLEY AVE	COST PER FOOT:	\$17.85
@ 915.0 W HACKLEY A	MUSKEGON MI	ESTIMATED P.O. COST:	\$1,044.23
24-665-000-0330-00	DAVIDSON KIRSTEN A/ROBERT	ASSESSABLE FEET:	58.5
	911 W HACKLEY AVE	COST PER FOOT:	\$17.85
@ 911.0 W HACKLEY A	MUSKEGON MI	ESTIMATED P.O. COST:	\$1,044.23

HACKLEY AVE., HUDSON ST. TO SEAWAY DR.

24-665-000-0331-00	GEBROWSKY FRANK J/MONICA	ASSESSABLE FEET:	44
	920 W HACKLEY AVE	COST PER FOOT:	\$17.85
@ 920.0 W HACKLEY A	MUSKEGON MI	ESTIMATED P.O. COST:	\$785.40

24-665-000-0333-00	RUITER CHRISTOPHER/KATHY	ASSESSABLE FEET:	73
	943 WILSON	COST PER FOOT:	\$17.85
@ 928.0 W HACKLEY A	MUSKEGON MI	ESTIMATED P.O. COST:	\$1,303.05

24-735-000-0001-10	NELSON CHARLES S/PHYLLIS A	ASSESSABLE FEET:	90
	4948 W GILES RD	COST PER FOOT:	\$17.85
@ 714.0 W HACKLEY A	MUSKEGON MI	ESTIMATED P.O. COST:	\$1,606.50

24-735-000-0003-00	NILL WINONA ET AL	ASSESSABLE FEET:	80
	706 W HACKLEY AVE	COST PER FOOT:	\$17.85
@ 706.0 W HACKLEY A	MUSKEGON MI	ESTIMATED P.O. COST:	\$1,428.00

24-735-000-0005-00	GLOMB DOUGLAS S	ASSESSABLE FEET:	40
	692 W HACKLEY	COST PER FOOT:	\$17.85
@ 692.0 W HACKLEY A	MUSKEGON MI	ESTIMATED P.O. COST:	\$714.00

SUM OF ASSESSABLE FOOTAGE:	2179.25	SUM OF ESTIMATED P.O. COST:	\$38,899.61
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TOTAL NUMBER OF ASSESSABLE PARCELS	33.00
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**SPECIAL ASSESSMENT
HEARING RESPONSE CARD**

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **HACKLEY AVE., HUDSON ST. TO SEAWAY DR.**

Project Description **MILLING & RESURFACING**

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address: **857 W. HACKLEY AVE.**

Parcel Number **24-665-000-0151-00**

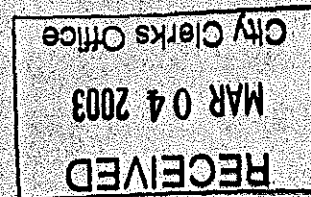
Assessable Frontage: **60** Feet

Estimated Front Foot Cost: **\$17.85** per Foot

ESTIMATED TOTAL COST \$1,071.00

Property Description

CITY OF MUSKEGON
ORCHARD GROVE ADDITION
N 60 FT LOTS 151-152 & 153



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 Lewis Panici CoOwner/Spouse NONE

Signature Lewis Panici Signature _____

Address 857 W. Hackley Ave Address _____

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

**SPECIAL ASSESSMENT
HEARING RESPONSE CARD**

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **HACKLEY AVE., HUDSON ST. TO SEAWAY DR.**

Project Description **MILLING & RESURFACING**

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Assessment Information

Property Address:

865 W. HACKLEY AVE.

Parcel Number

24-665-000-0210-00

Assessable Frontage:

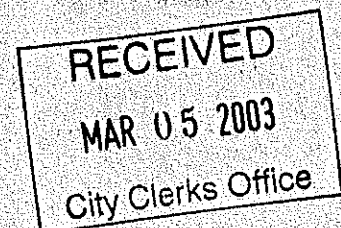
39 Feet

Estimated Front Foot Cost:

\$17.85 per Foot

ESTIMATED TOTAL COST

\$696.15



Property Description

CITY OF MUSKEGON
ORCHARD GROVE ADDITION
LOT 210

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

Donald E. Frazine

CoOwner/Spouse

Virginia F. Frazine

Signature

883 W. Hackley Ave

Signature

883 W. Hackley Ave

Address

Muskogon, Mo

Address

Muskogon, Mo

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By MARCH 11, 2003

Project Title: HACKLEY AVE., HUDSON ST. TO SEAWAY DR.

Project Description MILLING & RESURFACING

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address:

834 W. HACKLEY AVE.

Parcel Number

24-665-000-0092-00

Assessable Frontage:

40 Feet

Estimated Front Foot Cost:

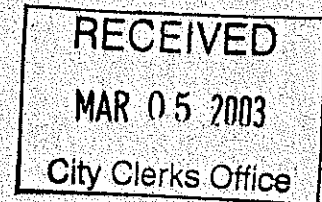
\$17.85 per Foot

ESTIMATED TOTAL COST

\$714.00

Property Description

CITY OF MUSKEGON
ORCHARD GROVE ADDITION
LOT 92



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

Gail Hutchinson

CoOwner/Spouse

Signature

Gail Hutchinson

Signature

Address

834 W. Hackley

Address

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **HACKLEY AVE., HUDSON ST. TO SEAWAY DR.**

Project Description **MILLING & RESURFACING**

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address:

882 W. HACKLEY AVE.

Parcel Number

24-665-000-0212-00

Assessable Frontage:

78 Feet

Estimated Front Foot Cost:

\$17.85 per Foot

ESTIMATED TOTAL COST

\$1,392.30

RECEIVED

MAR 05 2003

City Clerks Office

Property Description

CITY OF MUSKOGON
ORCHARD GROVE ADDITION
LOTS 212 & 213

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

GRAY J. SPRADGER

CoOwner/Spouse

JAMES A. SPRADGER

Signature

Gray J. Spradger

Signature

James A. Spradger

Address

882 W. HACKLEY

Address

5387 DAVIS RD.

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **HACKLEY AVE., HUDSON ST. TO SEAWAY DR.**

Project Description **MILLING & RESURFACING**

INSTRUCTIONS

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Assessment Information

Property Address:

883 W. HACKLEY AVE.

Parcel Number

24-665-000-0208-00

Assessable Frontage:

78 Feet

Estimated Front Foot Cost:

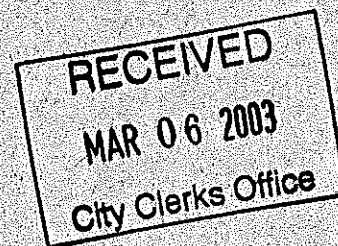
\$17.85 per Foot

ESTIMATED TOTAL COST

\$1,392.30

Property Description

CITY OF MUSKEGON
ORCHARD GROVE ADDITION
LOTS 208 & 209



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 **GERALD E. FRAZINE**

Owner/Spouse

Virginia F. Frazine

Signature **Gerald E. Frazine**

Signature

883 W. Hackley Ave

Address

883 W. Hackley Ave

Address

Muskegon Michigan

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **HACKLEY AVE., HUDSON ST. TO SEAWAY DR.**

Project Description **MILLING & RESURFACING**

INSTRUCTIONS

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Assessment Information

Property Address:

030 W. HACKLEY AVE.

Parcel Number

24-665-000-0091-00

Assessable Frontage:

40 Feet

Estimated Front Foot Cost:

\$17.85 per Foot

ESTIMATED TOTAL COST

\$714.00

Property Description

CITY OF MUSKEGON
ORCHARD GROVE ADDITION
LOT 91

RECEIVED

MAR 11 2003

City Clerks Office

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

Lawrence J Schilla

CoOwner/Spouse

DONNA SCHILLACI

Signature

Lawrence J Schilla

Signature

Donna Schilla

Address

2414 Blodgett

Address

2414 Blodgett St.

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **HACKLEY AVE., HUDSON ST. TO SEAWAY DR.**

Project Description **MILLING & RESURFACING**

INSTRUCTIONS

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Assessment Information

Property Address:

903 W. HACKLEY AVE.

Parcel Number

24-665-000-0271-00

Assessable Frontage:

39

Feet

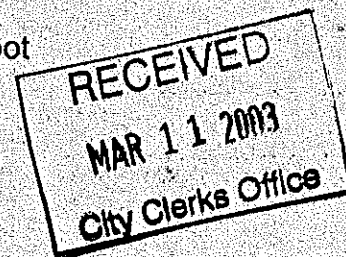
Estimated Front Foot Cost:

\$17.85

per Foot

ESTIMATED TOTAL COST

\$696.15



Property Description

CITY OF MUSKEGON
ORCHARD GROVE ADDITION
LOT 271

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:

Kristen A. Davidson

CoOwner/Spouse

Robert A. Davidson

Signature

Kristen A. Davidson

Signature

Robert A. Davidson

Address

911 W. Hackley

Address

911 W. Hackley

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **HACKLEY AVE., HUDSON ST. TO SEAWAY DR.**

Project Description **MILLING & RESURFACING**

INSTRUCTIONS

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Assessment Information

Property Address:

840 W. HACKLEY AVE.

Parcel Number

24-665-000-0093-00

Assessable Frontage:

40

Feet

Estimated Front Foot Cost:

\$17.85

per Foot

ESTIMATED TOTAL COST

\$714.00

Property Description

CITY OF MUSKEGON
ORCHARD GROVE ADDITION
LOT 93



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

Vere Papal

CoOwner/Spouse

Signature

840 W Hackley

Signature

Address

Muskegon, Mich.

Address

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **HACKLEY AVE., HUDSON ST. TO SEAWAY DR.**
Project Description **MILLING & RESURFACING**

INSTRUCTIONS

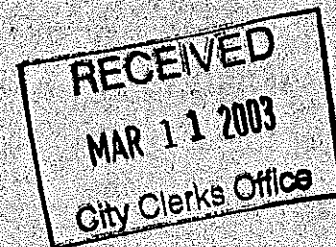
If you wish to have your written vote included as part of the tabulation of votes forwarded to the City Commission for the scheduled public hearing, please return this card by the date indicated above. To use this response card please indicate whether you Oppose or Favor this special assessment project, 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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address: **695 W. HACKLEY AVE.**
Parcel Number **24-131-300-0032-00**
Assessable Frontage: **80** Feet
Estimated Front Foot Cost: **\$17.85** per Foot
ESTIMATED TOTAL COST \$1,428.00

Property Description

CITY OF MUSEKOGON
BEG 653 FT E & 33 FT S OF NW COR
OF NW FRL 1/4 OF SW 1/4
TH S 457.02 FT
TH E 80.20 FT
TH N 457.88 FT



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 **LAURELL L. FREES** Owner/Spouse _____

Signature **Laurell L. Frees** Signature _____

Address **695 W HACKLEY** Address: _____

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **HACKLEY AVE., HUDSON ST. TO SEAWAY DR.**

Project Description: **MILLING & RESURFACING**

INSTRUCTIONS

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Assessment Information

Property Address:

714 W. HACKLEY AVE.

Parcel Number

24-735-000-0001-10

Assessable Frontage:

90 Feet

Estimated Front Foot Cost:

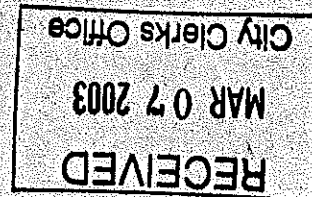
\$17.85 per Foot

ESTIMATED TOTAL COST

\$1,606.50

Property Description

CITY OF MUSKEGON
CITY CLERK'S SUBDIVISION
SUBJECT OF LOTS 1 AND 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



CHARLES S. NELSON

CoOwner/Spouse

Phyllis A. Nelson

Signature

Charles S. Nelson

Signature

Phyllis A. Nelson

Address

4948 W. GILES RD

Address

4948 W. Giles Rd

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **HACKLEY AVE., HUDSON ST. TO SEAWAY DR.**

Project Description **MILLING & RESURFACING**

INSTRUCTIONS

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Assessment Information

Property Address:

731 W. HACKLEY AVE.

Parcel Number

24-131-300-0018-00

Assessable Frontage:

80 Feet

Estimated Front Foot Cost:

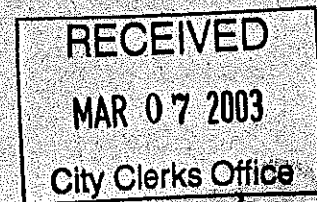
\$17.85 per Foot

ESTIMATED TOTAL COST

\$1,428.00

Property Description

CITY OF MUSKEGON
SEC 31 T10N R16W
STARTING 403 FT E & 33 FT S OF NW COR
OF NW FRL 1/4 OF SW 1/4
TH S 120 FT
TH E 80 FT



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 the time to vote on this important issue.

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **HACKLEY AVE., HUDSON ST. TO SEAWAY DR.**

Project Description **MILLING & RESURFACING**

INSTRUCTIONS

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Assessment Information

Property Address: **767 W. HACKLEY AVE.**

Parcel Number **24-131-300-0008-00**

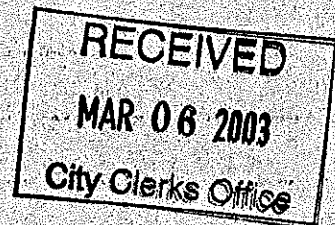
Assessable Frontage: **64** Feet

Estimated Front Foot Cost: **\$17.85** per Foot

ESTIMATED TOTAL COST \$1,142.40

Property Description

CITY OF MUSKEGON
SEC 31 T10N R16W
E 128 FT OF W 300 FT OF S 118 1/2 FT
OF N 149 1/2 FT OF NW FRL 1/4 OF SW 1/4



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

CoOwner/Spouse

Signature

Jacob E. Valtman

Signature

Address

767 W. Hackley

Address

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **HACKLEY AVE., HUDSON ST. TO SEAWAY DR.**

Project Description **MILLING & RESURFACING**

INSTRUCTIONS

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Assessment Information

Property Address:

2190 HENRY ST.

Parcel Number

24-131-100-0012-00

Assessable Frontage:

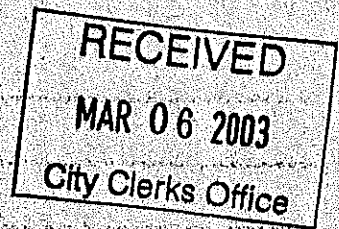
216.5 Feet

Estimated Front Foot Cost:

\$17.85 per Foot

ESTIMATED TOTAL COST

\$3,864.53



Property Description

CITY OF MUSKEGON
THE S 142.40 FT OF W 491.45 FT OF SW 1/4 OF NW 1/4
OF SEC 31 T10N R16W
EXC COM AT SW COR OF SW 1/4 OF NW 1/4 SD SEC
TH E 33 FT ALG S LINE OF SD SW 1/4 FOR POB
TH N 142.40 FT PAR TO W LINE OF SW 1/4

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: **DAN COOPER**

CoOwner/Spouse **KEN NORWOOD**

Signature: **[Signature]**

Signature: **[Signature]**

Address: **2221 Henry**

Address: **2221 Henry**

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **HACKLEY AVE., HUDSON ST. TO SEAWAY DR.**

Project Description **MILLING & RESURFACING**

INSTRUCTIONS

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Assessment Information

Property Address:

745 W. HACKLEY AVE

Parcel Number

24-131-300-0017-00

Assessable Frontage:

40 Feet

Estimated Front Foot Cost:

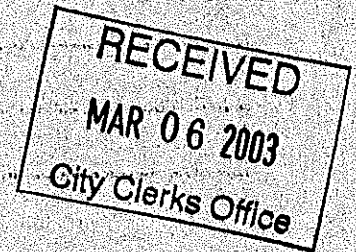
\$17.85 per Foot

ESTIMATED TOTAL COST

\$714.00

Property Description

CITY OF MUSKEGON
SEC 31 T10N R16W
STARTING 363 FT E & 33 FT S OF NW COR
OF NW FRL 1/4 OF SW 1/4
TH S 120 FT
TH E 40 FT



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

James E. Veltman

Signature

Address

745 W Hackley

Address

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **HACKLEY AVE., HUDSON ST. TO SEAWAY DR.**

Project Description **MILLING & RESURFACING**

INSTRUCTIONS

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Assessment Information

Property Address:

854 W. HACKLEY AVE.

Parcel Number

24-665-000-0148-00

Assessable Frontage:

40

Feet

Estimated Front Foot Cost:

\$17.85

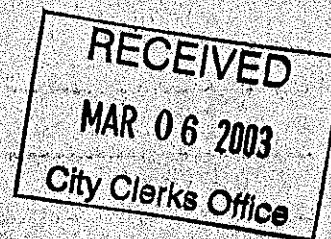
per Foot

ESTIMATED TOTAL COST

\$714.00

Property Description

CITY OF MUSKEGON
ORCHARD GROVE ADDITION
LOT 148



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

JAMES A. VIDETICH

CoOwner/Spouse

DENISE K. VIDETICH

Signature

[Signature]

Signature

[Signature]

Address

854 W. HACKLEY

Address

854 W. HACKLEY

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

8

**WE CAN'T AFFORD THIS, BUT OUR INCOME
IS MORE THAN ALLOWED TO GET A DISCOUNT.**

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **HACKLEY AVE., HUDSON ST. TO SEAWAY DR.**

Project Description **MILLING & RESURFACING**

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. **IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.**

Assessment Information

Property Address: **2214 CROWLEY ST.**

Parcel Number **24-665-000-0088-00**

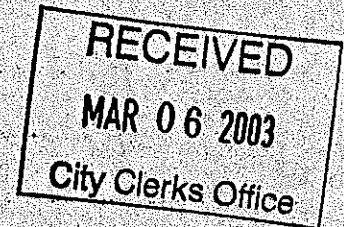
Assessable Frontage: **80** Feet

Estimated Front Foot Cost: **\$17.85** per Foot

ESTIMATED TOTAL COST \$1,428.00

Property Description

CITY OF MUSKEGON
ORCHARD GROVE ADDITION
LOTS 88 & 89



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 S. Kison

CoOwner/Spouse

William A. Kison

Signature

[Signature]

Signature

[Signature]

Address

2214 Crowley St

Address

2214 Crowley St

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **HACKLEY AVE., HUDSON ST. TO SEAWAY DR.**

Project Description **MILLING & RESURFACING**

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. **IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.**

Assessment Information

Property Address: **2209 KINSEY ST.**

Parcel Number **24-665-000-0272-00**

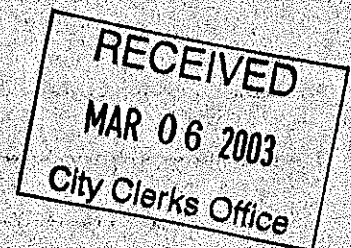
Assessable Frontage: **78** Feet

Estimated Front Foot Cost: **\$17.85** per Foot

ESTIMATED TOTAL COST \$1,392.30

Property Description

CITY OF MUSKEGON
ORCHARD GROVE ADDITION
LOTS 272 THRU 274



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: **Eddy A. Van Damme** CoOwner/Spouse

DENA L. VANDamme

Signature: **Eddy A. Van Damme**

Signature: **Dena L. Van Damme**

Address: **2209 KINSEY STREET**

Address: **2209 KINSEY ST.**

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

SPECIAL ASSESSMENT
HEARING RESPONSE CARD

NO RESPONSE COUNTS AS "IN FAVOR" OF PROJECT-To have your vote count, please

Return This Card By **MARCH 11, 2003**

Project Title: **HACKLEY AVE., HUDSON ST. TO SEAWAY DR.**

Project Description **MILLING & RESURFACING**

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. IF YOU DO NOT SEND IN THIS FORM YOUR VOTE COUNTS AS "IN FAVOR" OF PROJECT.

Assessment Information

Property Address: **2221 HENRY ST.**

Parcel Number **24-665-000-0031-00**

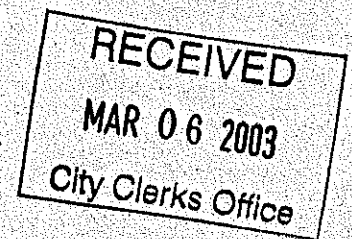
Assessable Frontage: **97.5** Feet

Estimated Front Foot Cost: **\$17.85** per Foot

ESTIMATED TOTAL COST \$1,740.38

Property Description

CITY OF MUSKEGON
ORCHARD GROVE ADDITION
LOTS 31 TO 38 INCL
EXC COM AT NE COR OF LOT 31 FOR POB
TH S 221 FT ALG E LN OF LOTS 31 32 33 34 35 AND 36 TO A PT 26 FT N OF SE COR OF LOT 36
TH NW 40 FT TO A PT 2.5 FT W OF E LINE OF LOT 35 & 16 FT S OF NE COR OF LOT 35



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 **DAN COOPER**

CoOwner/Spouse **KEN NORWOOD**

Signature **[Signature]**

Signature **(on vacation)**

Address **2221 Henry St**

Address **2221 Henry St.**

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

CITY OF MUSKEGON

Resolution No. _____

Resolution At First Hearing Creating Special Assessment District
For **Hackely Ave., Hudson to Seaway, Dr.**

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

RECITALS:

1. A hearing has been held on **March 11, 2003** at 5:30 o'clock p.m. at the City Commission Chambers. Notice was given by mail and publication as required by law.
2. That estimates of costs of the project, a feasibility report and valuation and benefit information are on file with the City and have been reviewed for this hearing.
3. At the hearing held **March 11, 2003**, there were _____% 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 _____ and _____
and the City Assessor who are hereby directed to prepare an assessment roll.
Assessments shall be made upon front foot basis.

4. Based on the City's Special Assessment policy and preliminary estimates it is expected that approximately **24.31%** 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 _____

Nays _____

CITY OF MUSKEGON

By _____
Gail A. Kunding, Clerk

ACKNOWLEDGMENT

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

CITY OF MUSKEGON

By _____
Gail A. Kunding, Clerk

AFFIDAVIT OF MAILING

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

TO CREATE A SPECIAL ASSESSMENT DISTRICT FOR THE FOLLOWING:

Hackley, Hudson to Seaway

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

GAIL A. KUNDINGER, CITY CLERK

SUBSCRIBED AND SWORN TO BEFORE ME THIS
_____ DAY OF _____, 2003.

NOTARY PUBLIC, MUSKEGON COUNTY, MICHIGAN
MY COMMISSION EXPIRES _____

2003-24 f)

Date: February 27, 2003
To: Honorable Mayor and City Commissioners
From: Ric Scott 
RE: DNR Grant Application

SUMMARY OF REQUEST:

To authorize staff to submit grant applications to the DNR Trust Fund for the purchase of the Consumers Energy Property and to construct phase I of the Lakeshore Trail

FINANCIAL IMPACT:

Consumers Energy Purchase - None
Lakeshore Trail construction - \$375,000

BUDGET ACTION REQUIRED:

None

STAFF RECOMMENDATION:

Approve

COMMITTEE RECOMMENDATION:

Leisure Services Board Recommends Approval

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

Assessor
231/724-6708
FAX/726-5181

Cemetery
231/724-6783
FAX/726-5617

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

Clerk
231/724-6705
FAX/724-4178

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

Engineering
231/724-6707
FAX/727-6904

Finance
231/724-6713
FAX/724-6768

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

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

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

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

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

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

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

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

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

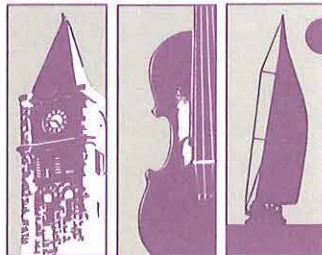
Public Works
231/724-4100
FAX/722-4188

Treasurer
231/724-6720
FAX/724-6768

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

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

MUSKEGON



West Michigan's Shoreline City

Date: February 27, 2003
To: Honorable Mayor and City Commissioners
From: Ric Scott *[Signature]*
Re: DNR Grant Applications

I am requesting authorization to submit two grant applications to the DNR Trust Fund. The application due date is April 1. Both of these applications were sent in last year, but were turned down.

While the City Commission has already authorized staff to proceed with these grants, a new interpretation of the grant, requires that a public notice be given to allow public input. Consequently, we will need to have a public hearing on these applications.

The purchase of the Consumers Energy property for a sports complex has been discussed thoroughly recently. The grant application would be for \$900,000 with \$670,000 coming from the Trust Fund and the \$230,000 local match coming from Consumers Energy.

The construction of phase I of the Lakeshore Trail will cost approximately \$1,700,000. We have requested funding for \$1,000,000 from MDOT. The maximum amount of funding through DNR is \$375,000. Therefore I am requesting that we apply for \$375,000 from the DNR. The city will need to provide the remaining \$375,000. Much of this can come from the Golf Course fund, but there will need to be an additional \$150,000 or so needed beyond the golf course fund. This funding will not be needed until 2005.

I would ask that you authorize the submittal of both grant applications, and adopt the attached resolutions.

Thank you for your consideration.

RESOLUTION NO. 2003-24 (f) (1 of 2)
MUSKEGON CITY COMMISSION

RESOLUTION APPROVING SUBMISSION OF GRANT APPLICATION FOR
THE PURCHASE OF THE CONSUMER'S ENERGY PROPERTY UNDER THE
MNRTF.

WHEREAS, the City of Muskegon wishes to purchase approximately 56 acres of
property from Consumer's Energy for the development of a sports
complex; and

WHEREAS, the property has been appraised at \$900,000,

WHEREAS, grant applications are now being received by the Michigan
Department of Natural Resources for Michigan Natural Resources
Trust Fund (MNRTF), which will provide up to 75% funding for the
project;

NOW, THEREFORE, BE IT RESOLVED, that the City Commission of the City of
Muskegon approve the submission of the grant application to the
MNRTF for \$900,000 for the purchase of the Consumer's
Energy property,

BE IT FURTHER RESOLVED, that the City's \$230,000 match will be provided,
and the City hereby commits itself to complete this purchase if the
grant application is approved.

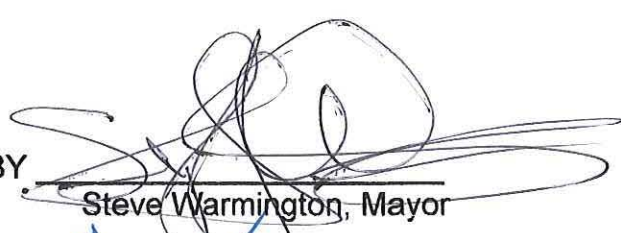
Adopted this 11th day of March, 2003

AYES: 6

NAYS: 0

ABSENT: 1

BY


Steve Warmington, Mayor

ATTEST

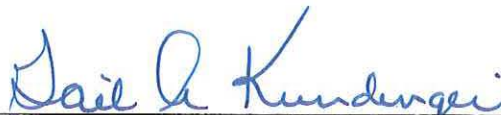

Gail Kundinger, City Clerk

CERTIFICATION

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

CITY OF MUSKEGON

By


Gail A. Kunderger, City Clerk

RESOLUTION NO. 2003-24 (F) (2 of 2)
MUSKEGON CITY COMMISSION

RESOLUTION APPROVING SUBMISSION OF GRANT APPLICATION FOR
THE CONSTRUCTION OF PHASE I OF THE LAKESHORE TRAIL UNDER THE
MNRTF.

WHEREAS, the City of Muskegon wishes to construct phase I of the Lakeshore
Trail; and

WHEREAS, grant applications are now being received by the Michigan
Department of Natural Resources for Michigan Natural Resources
Trust Fund (MNRTF) grants, which will provide up to 75% 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
MNRTF for \$500,000 for the construction of phase I of the
Lakeshore Trail; and

BE IT FURTHER RESOLVED, that the City's \$1,100,000 match will be provided,
and the City hereby commits itself to complete this project if the
grant application is approved.

Adopted this 11th day of March, 2003

AYES: 6

NAYS: 0

ABSENT: 1

BY


Steve Warmington, Mayor

ATTEST


Gail Kunding, City Clerk

CERTIFICATION

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

CITY OF MUSKEGON

By

A handwritten signature in blue ink, reading "Gail A. Kunderger", is written over a horizontal line.

Gail A. Kunderger, City Clerk

AGENDA ITEM NO. 2003-25 - a)

CITY COMMISSION MEETING 3/11/03

TO: Honorable Mayor and City Commissioners

FROM: Bryon L. Mazade, City Manager

DATE: February 28, 2003

RE: Park Terrace Easements

SUMMARY OF REQUEST:

To approve easement agreements for the Park Terrace Project.

FINANCIAL IMPACT:

None.

BUDGET ACTION REQUIRED:

None.

STAFF RECOMMENDATION:

To approve the easements.

COMMITTEE RECOMMENDATION:

None.

2003-25 a)¹

INGRESS-EGRESS EASEMENT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that RUDDIMAN ASSOCIATES LIMITED PARTNERSHIP whose address is 3239 Clover Parkway, Muskegon, MI 49444, and HACKLEY LIMITED DIVIDEND HOUSING ASSOCIATION, L.L.C. whose address is 950 Taylor Avenue, Grand Haven, MI 49417 (collectively the "Owners"), and the CITY OF MUSKEGON whose address is 933 Terrace Street, P.O. Box 536, Muskegon, MI 49443-0536 (the "Grantee"), agree as follows:

The Owners are the owners of real property as described below and have agreed to grant to the Grantee an easement for ingress and egress.

The Owners, for and in consideration of the sum of One Dollar (\$1.00) each, the receipt of which is acknowledged, do hereby convey, grant and release to the Grantee, its successors and assigns, an easement for the private use of Grantee, its employees and agents, and not the public, ingress and egress over, across, and through the following parcels of land situated in the CITY OF MUSKEGON, in the County of Muskegon, State of Michigan, and described as:

Ruddiman Parcel:

That part of Ruddiman Terrace, Section 36, T10N, R17W, as recorded in Liber 12 of Plats on pages 33 and 34, and that part of the SE 1/4 of the NW 1/4 of Section 36, T10N, R17W, City of Muskegon, Muskegon County, Michigan, described as: Beginning at a point on the West line of Parslow Street which is North 00 degrees 00 minutes 00 seconds East 33.00 feet along the North-South 1/4 line of said Section 36 and South 89 degrees 58 minutes 00 seconds West 31.30 feet and North 00 degrees 00 minutes 00 seconds East 646.74 feet from the Central 1/4 corner of said Section 36; thence South 89 degrees 46 minutes 46 seconds West 82.83 feet; thence Northwesterly 111.52 feet along the arc of an 83.00 foot radius curve to the left, said curve having a central angle of 76 degrees 58 minutes 52 seconds, and the chord of which bears North 51 degrees 30 minutes 34 seconds West 103.32 feet; thence North 90 degrees 00 minutes 00 seconds West 253.42 feet; thence Southwesterly 1186.50 feet along the arc of a 1206.90 foot radius curve to the left, said curve having a central angle of 56 degrees 17 minutes 40 seconds, and the chord of which bears South 61 degrees 50 minutes 11 seconds West 1139.30 feet; thence Southwesterly 15.29 feet along the arc of a 81.19 foot radius curve to the left, said curve having a central angle of 10 degrees 47 minutes 21 seconds, and the chord of which bears South 28 degrees 16 minutes 41 seconds West 15.27 feet; thence South 56 degrees 20 minutes 00 seconds East 706.65 feet; thence Southwesterly 155.04 feet along the arc of a 510.50 foot radius curve to the left, said curve having a central angle of 17 degrees 24 minutes 03 seconds, and the chord of which bears South 24 degrees 22 minutes 03 seconds West 154.44 feet; thence South 15 degrees 40 minutes 00 seconds West 32.16 feet; thence North 56 degrees 20 minutes 00 seconds West 667.37 feet; thence South 89 degrees 58 minutes 01 seconds

West 209.20 feet; thence North 00 degrees 07 minutes 00 seconds West 872.50 feet; thence South 89 degrees 59 minutes 00 seconds East 687.16 feet; thence North 59 degrees 16 minutes 00 seconds East 102.46 feet; thence North 00 degrees 00 minutes 00 seconds East 204.36 feet; thence North 00 degrees 10 minutes 53 seconds West 66.00 feet; thence North 00 degrees 01 minutes 02 seconds West 100.17 feet; thence North 47 degrees 13 minutes 00 seconds West 40.29 feet; thence South 89 degrees 59 minutes 00 seconds East 965.25 feet; thence South 00 degrees 00 minutes 00 seconds East 127.50 feet; thence North 89 degrees 59 minutes 00 seconds West 31.30 feet; thence South 00 degrees 00 minutes 00 seconds East 514.04 feet along the West line of Parslow Street to the Point of Beginning. Except any part taken, used or deeded for Public Streets.

Hackley Parcel:

That part of Ruddiman Terrace, Section 36, Town 10 North, Range 17 West, as recorded in Liber 12 of Plats on Pages 33 and 34, described as beginning at a point on the North line of Hackley Avenue which is North 00 degrees 00 minutes 00 seconds East 33.00 feet along the North and South 1/4 line of said Section 36 and South 89 degrees 58 minutes 00 seconds West 31.30 feet from the central 1/4 corner of said Section 36; thence South 89 degrees 58 minutes 00 seconds West 352.45 feet along the North line of Hackley Avenue; thence North 00 degrees 00 minutes 00 seconds East 210.93 feet; thence North 90 degrees 00 minutes 00 seconds West 64.57 feet; thence North 09 degrees 34 minutes 32 seconds West 186.05 feet; thence Southwesterly 844.98 feet along the arc of a 890.90 foot radius curve to the left said curve having a central angle of 54 degrees 20 minutes 33 seconds, and the chord of which bears South 60 degrees 50 minutes 17 seconds West 813.66 feet; thence South 33 degrees 40 minutes 00 seconds West 15.07 feet; thence North 56 degrees 20 minutes 00 seconds West 314.57 feet; thence Northeasterly 15.29 feet along the arc of a 81.19 foot radius curve to the right, said curve having a central angle of 10 degrees 47 minutes 21 seconds, the chord of which bears North 28 degrees 16 minutes 41 seconds East 15.27 feet; thence Northeasterly 1186.50 feet along the arc of a 1206.90 foot radius curve to the right, said curve having a central angle of 56 degrees 19 minutes 39 seconds, and the chord of which bears North 61 degrees 50 minutes 11 seconds East 1139.30 feet; thence North 90 degrees 00 minutes 00 seconds East 253.42 feet; thence Southeasterly 111.52 feet along the arc of a 83.00 foot radius curve to the right, said curve having a central angle of 76 degrees 58 minutes 52 seconds, and the chord of which bears South 51 degrees 30 minutes 34 seconds East 103.32 feet; thence North 89 degrees 46 minutes 46 seconds East 82.83 feet; thence South 00 degrees 00 minutes 00 seconds East 646.74 feet along the West line of Parslow Street to the point of beginning.

(collectively the "Property").

The easement located on the Property shall consist of an Easement as more specifically described below.

SEE ATTACHED EXHIBIT "A"

The Grantee may remove pavement, fences, shrubs, trees or other surface or subsurface landscaping or improvements if reasonably required for its exercise of the easement rights. This conveyance includes a release of any and all claims to damages arising from or incidental to the exercise of any of the rights granted herein, except claims arising from the negligent acts of Grantee.

Grantee will restore the surface of the Property to its original condition as near as may be reasonable for any activities Grantee conducts on the surface of the Property. Such restoration shall include grading, seeding and repair of roadway, driveway, walkway and parking areas (paved and unpaved) but shall not include replacement of trees, major shrubbery or fences.

Owners shall retain the right to use the Easement for purposes not inconsistent with the Grantee's full enjoyment of the rights granted by this Easement, provided that it is expressly understood the Owners shall not place or permit to be placed, trees, major shrubbery, fences or buildings, upon, over or under the above-described Easement without the prior written consent of the Grantee.

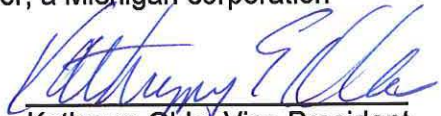
The Owners hereby agree to save and hold Grantee harmless from any and all claims, debts, causes of action or judgments for any damage to property and/or injury to any persons which may arise out of any construction within or use of easement area by the Owners, their agents, employees, representatives, contractors, successors or assigns.

This Agreement shall be binding on and for the benefit of the parties hereto, their heirs, representatives, successors and assigns. The rights granted in this Agreement may be assigned by Grantee in whole or in part.

Executed this 27TH day of FEBRUARY, 2003

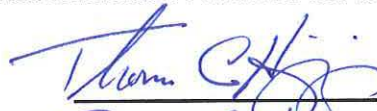
RUDDIMAN ASSOCIATES LIMITED
PARTNERSHIP

By: Glenview Associates, Inc., its General
Partner, a Michigan corporation

By: 
Kathryne Olds, Vice President

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

On this day 27TH day of FEBRUARY, 2003, before me, a Notary Public in and for said County, personally appeared Kathryn Olds, to me known, who being by me duly sworn, did say that she is the Vice President of Glenview Associates, Inc. a Michigan corporation, the General Partner to Ruddiman Associates Limited Partnership, a Michigan limited partnership which executed the foregoing Ingress-Egress Easement Agreement, and that said Kathryn Olds signed such instrument on behalf of and with the authority of such corporation as General Partner, and she acknowledged such instrument to be the free act and deed of herself, the General Partner and said limited partnership.

 Notary Public
THOMAS C. HIGGINS

Muskegon County, Michigan

My Commission expires: March 29, 2003

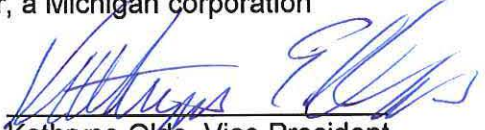
HACKLEY LIMITED DIVIDEND HOUSING ASSOCIATION,
L.L.C., a Michigan limited liability company

By: R W Properties I L.L.C., its Member, a Michigan
limited liability company

By: 
Shirley A. Woodruff, Member

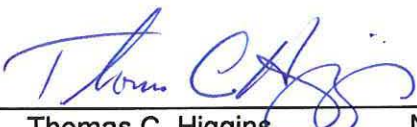
By: Ruddiman Associates Limited Partnership, its
Member, a Michigan limited partnership

By: Glenview Associates, Inc., its General
Partner, a Michigan corporation

By: 
Kathryne Olds, Vice President

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

On this 27TH day of FEBRUARY, 2003, before me a Notary Public
in and for said County, personally appeared Shirley A. Woodruff as a member of R.W. Properties I
L.L.C., a Member of Hackley Limited Dividend Housing Association, L.L.C., which executed the
foregoing Ingress-Egress Easement Agreement, and said Shirley A. Woodruff signed such
instrument on behalf of and with the authority of such limited liability company as a Member, and she
acknowledged such instrument to be the free act and deed of herself, the Member and said limited
liability company.


Thomas C. Higgins Notary Public

County of Muskegon, State of Michigan
My Commission Expires: March 29, 2003

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

On this 27TH day of FEBRUARY, 2003, before me a Notary Public
in and for said County, personally appeared Kathryn Olds as Vice President of Glenview
Associates, Inc., a Michigan corporation, the General Partner of Ruddiman Associates Limited
Partnership, a Michigan limited partnership, a Member of Hackley Limited Dividend Housing
Association, L.L.C., which executed the foregoing Ingress-Egress Easement Agreement and said
Kathryne Olds signed such instrument on behalf of and with the authority of such corporation as
General Partner, and she acknowledged such instrument to be the free act and deed of herself, the
General Partner, the limited partnership, and said limited liability company.

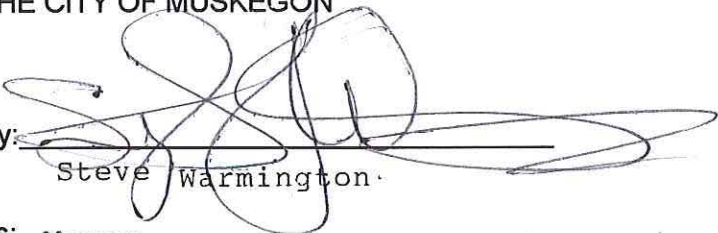
Thomas C. Higgins

Thomas C. Higgins, Notary Public

County of Muskegon, State of Michigan
My Commission Expires: March 29, 2003

AGREED TO AND ACCEPTED BY:

THE CITY OF MUSKEGON

By: 

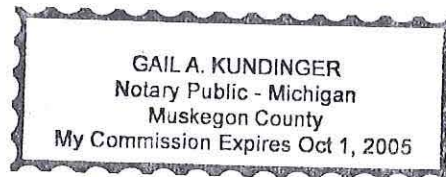
Steve Warmington

Its: Mayor

Subscribed and sworn to before me
this 14th day of March 2003.

Gail A. Kunderger
Gail A. Kunderger

Notary Public
Muskegon County, State of Michigan
My commission expires: October 1, 2025



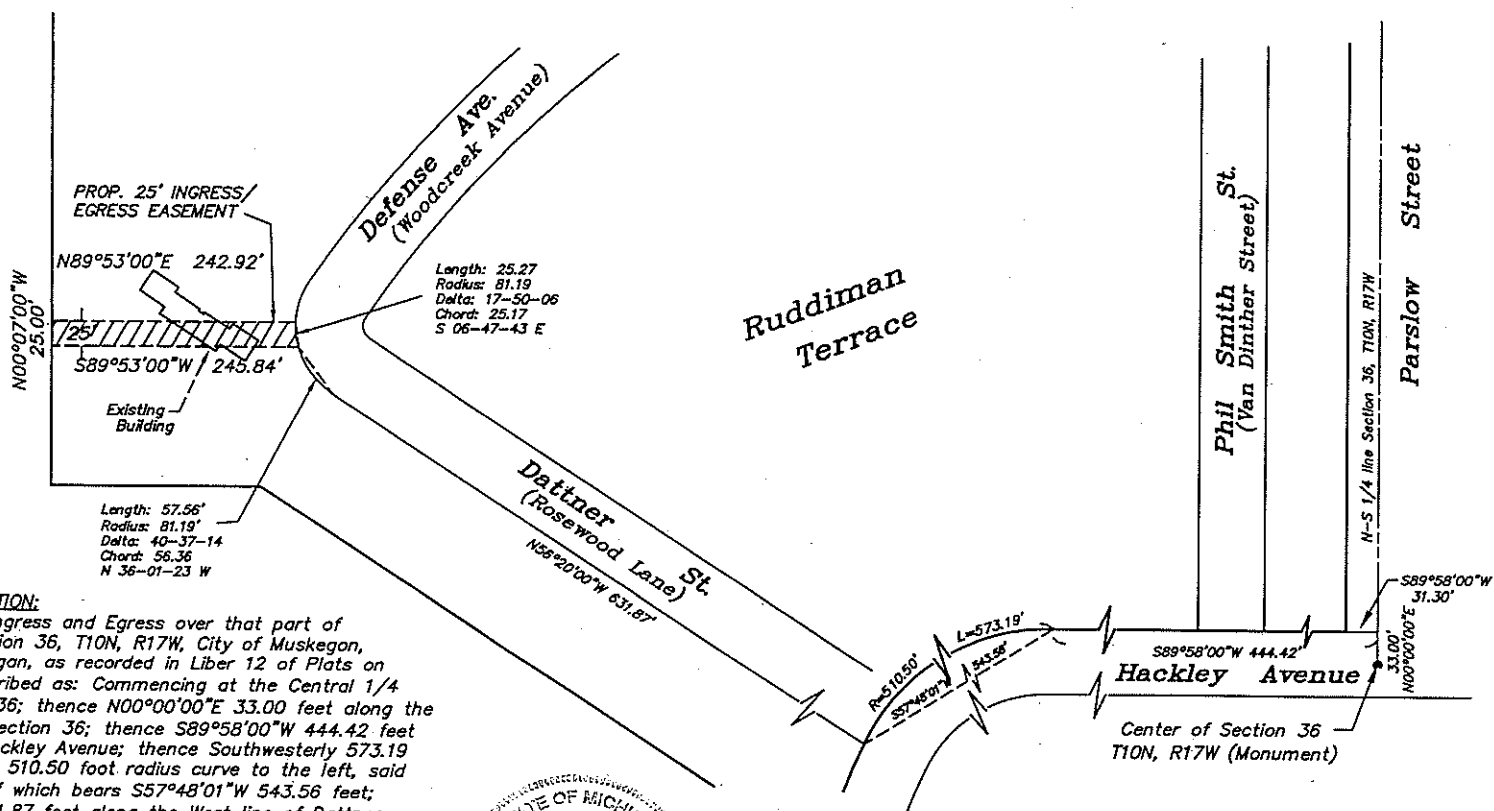
Drafted by and when recorded return to:
Karl L. Gotting, Esq.
Loomis, Ewert, Parsley, Davis & Gotting, P.C.
232 South Capitol Avenue, Suite 1000
Lansing, Michigan 48933

Exhibit "A"

Scale 1" = 150'

EASEMENT "4" DESCRIPTION:

An Easement for Ingress and Egress over that part of Ruddiman Terrace, Section 36, T10N, R17W, City of Muskegon, Muskegon County, Michigan, as recorded in Liber 12 of Plats on pages 33 and 34, described as: Commencing at the Central 1/4 corner of said Section 36; thence N00°00'00"E 33.00 feet along the N-S 1/4 line of said Section 36; thence S89°58'00"W 444.42 feet on the North line of Hackley Avenue; thence Southwesterly 573.19 feet along the arc of a 510.50 foot radius curve to the left, said curve having a chord of which bears S57°48'01"W 543.56 feet; thence N56°20'00"W 631.87 feet along the West line of Dattner Street; thence Northwesterly 57.56 feet along the arc of an 81.19 foot radius curve to the right, said curve having a chord of which bears N36°01'23"W 56.36 feet along said West line to the Point of Beginning; thence S89°53'00"W 245.84 feet; thence N00°07'00"W 25.00 feet along the Westerly Boundary of said Ruddiman Terrace; thence N89°53'00"E 242.92 feet; thence Southeasterly 25.27 feet along the West line of said Dattner Street along the arc of a 81.19 foot radius curve to the left, said curve having a chord of which bears S06°47'43"E 25.17 feet to the Point of Beginning.



Nederveld Associates Surveying, Inc.
Engineering = Surveying
5570 32nd Avenue / P.O. Box 10
Hudsonville, Michigan 49426

File No. 02200812E-4 Date: 12-16-02 by SA

EASEMENT AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that RUDDIMAN ASSOCIATES LIMITED PARTNERSHIP whose address is 3239 Clover Parkway, Muskegon, MI 49444, HACKLEY LIMITED DIVIDEND HOUSING ASSOCIATION, L.L.C. whose address is 950 Taylor Avenue, Grand Haven, MI 49417, and HACKLEY LIMITED DIVIDEND HOUSING ASSOCIATION II, L.L.C. whose address is 950 Taylor Avenue, Grand Haven, MI 49417 (collectively the "OWNERS"), and the CITY OF MUSKEGON whose address is 933 Terrace Street, P.O. Box 536, Muskegon, MI 49443-0536 (the "GRANTEE"), agree as follows:

The OWNERS are the owners of real property as described below and OWNERS wish to construct certain utilities in accordance with plans and specifications furnished by OWNERS and approved by GRANTEE which shall become public utilities upon their construction and acceptance by GRANTEE, and OWNERS desire to convey all right, title and interest to the utilities constructed by OWNERS, as well as grant an easement to GRANTEE regarding such utilities and such future utilities as GRANTEE may construct within such easement.

The OWNERS, for and in consideration of the sum of One Dollar (\$1.00) each, the receipt of which is acknowledged, do hereby convey, grant and release to the GRANTEE, its successors and assigns, a permanent easement and right-of-way in which to build, install, construct, inspect, operate, maintain, repair and replace public service or utility components consisting of water mains, sanitary sewer lines, force mains, drains, storm sewers, other public service or utility facilities, or any combination thereof, and other related improvements necessary to provide such public services (the "Improvements") over, across, under and through the following parcels of land situated in the CITY OF MUSKEGON, in the County of Muskegon, State of Michigan, and described as:

Ruddiman Parcel:

That part of Ruddiman Terrace, Section 36, T10N, R17W, as recorded in Liber 12 of Plats on pages 33 and 34, and that part of the SE 1/4 of the NW 1/4 of Section 36, T10N, R17W, City of Muskegon, Muskegon County, Michigan, described as: Beginning at a point on the West line of Parslow Street which is North 00 degrees 00 minutes 00 seconds East 33.00 feet along the North-South 1/4 line of said Section 36 and South 89 degrees 58 minutes 00 seconds West 31.30 feet and North 00 degrees 00 minutes 00 seconds East 646.74 feet from the Central 1/4 corner of said Section 36; thence South 89 degrees 46 minutes 46 seconds West 82.83 feet; thence Northwesterly 111.52 feet along the arc of an 83.00 foot radius curve to the left, said curve having a central angle of 76 degrees 58 minutes 52 seconds, and the chord of which bears North 51 degrees 30 minutes 34 seconds West 103.32 feet; thence North 90 degrees 00 minutes 00 seconds West 253.42 feet; thence Southwesterly 1186.50 feet along the arc of a 1206.90 foot radius curve to the left, said curve having a central angle of 56 degrees 17 minutes 40 seconds, and the chord of which bears South 61 degrees 50 minutes 11 seconds West 1139.30 feet; thence Southwesterly

15.29 feet along the arc of a 81.19 foot radius curve to the left, said curve having a central angle of 10 degrees 47 minutes 21 seconds, and the chord of which bears South 28 degrees 16 minutes 41 seconds West 15.27 feet; thence South 56 degrees 20 minutes 00 seconds East 706.65 feet; thence Southwesterly 155.04 feet along the arc of a 510.50 foot radius curve to the left, said curve having a central angle of 17 degrees 24 minutes 03 seconds, and the chord of which bears South 24 degrees 22 minutes 03 seconds West 154.44 feet; thence South 15 degrees 40 minutes 00 seconds West 32.16 feet; thence North 56 degrees 20 minutes 00 seconds West 667.37 feet; thence South 89 degrees 58 minutes 01 seconds West 209.20 feet; thence North 00 degrees 07 minutes 00 seconds West 872.50 feet; thence South 89 degrees 59 minutes 00 seconds East 687.16 feet; thence North 59 degrees 16 minutes 00 seconds East 102.46 feet; thence North 00 degrees 00 minutes 00 seconds East 204.36 feet; thence North 00 degrees 10 minutes 53 seconds West 66.00 feet; thence North 00 degrees 01 minutes 02 seconds West 100.17 feet; thence North 47 degrees 13 minutes 00 seconds West 40.29 feet; thence South 89 degrees 59 minutes 00 seconds East 965.25 feet; thence South 00 degrees 00 minutes 00 seconds East 127.50 feet; thence North 89 degrees 59 minutes 00 seconds West 31.30 feet; thence South 00 degrees 00 minutes 00 seconds East 514.04 feet along the West line of Parslow Street to the Point of Beginning. Except any part taken, used or deeded for Public Streets.

Hackley Parcel:

That part of Ruddiman Terrace, Section 36, Town 10 North, Range 17 West, as recorded in Liber 12 of Plats on Pages 33 and 34, described as beginning at a point on the North line of Hackley Avenue which is North 00 degrees 00 minutes 00 seconds East 33.00 feet along the North and South 1/4 line of said Section 36 and South 89 degrees 58 minutes 00 seconds West 31.30 feet from the central 1/4 corner of said Section 36; thence South 89 degrees 58 minutes 00 seconds West 352.45 feet along the North line of Hackley Avenue; thence North 00 degrees 00 minutes 00 seconds East 210.93 feet; thence North 90 degrees 00 minutes 00 seconds West 64.57 feet; thence North 09 degrees 34 minutes 32 seconds West 186.05 feet; thence Southwesterly 844.98 feet along the arc of a 890.90 foot radius curve to the left said curve having a central angle of 54 degrees 20 minutes 33 seconds, and the chord of which bears South 60 degrees 50 minutes 17 seconds West 813.66 feet; thence South 33 degrees 40 minutes 00 seconds West 15.07 feet; thence North 56 degrees 20 minutes 00 seconds West 314.57 feet; thence Northeasterly 15.29 feet along the arc of a 81.19 foot radius curve to the right, said curve having a central angle of 10 degrees 47 minutes 21 seconds, the chord of which bears North 28 degrees 16 minutes 41 seconds East 15.27 feet; thence Northeasterly 1186.50 feet along the arc of a 1206.90 foot radius curve to the right, said curve having a central angle of 56 degrees 19 minutes 39 seconds, and the chord of which bears North 61 degrees 50 minutes 11 seconds East 1139.30 feet; thence North 90 degrees 00 minutes 00 seconds East 253.42 feet; thence Southeasterly 111.52 feet along the arc of a 83.00 foot radius curve to the right, said curve having a central angle of 76 degrees 58 minutes 52 seconds, and the chord of which bears South 51 degrees 30 minutes 34 seconds East 103.32 feet; thence North 89 degrees 46 minutes 46 seconds East 82.83 feet; thence South 00 degrees 00 minutes 00 seconds East 646.74 feet along the West line of Parslow Street to the point of beginning.

Hackley II Parcel:

That part of Ruddiman Terrace, Section 36, Town 10 North, Range 17 West, as

recorded in Liber 12 of Plats on Pages 33 and 34, described as beginning at a point on the North line of Hackley Avenue which is North 00 degrees 00 minutes 00 seconds East 33.00 feet along the North and South 1/4 line of said Section 36 and South 89 degrees 58 minutes 00 seconds West 383.75 feet from the central 1/4 corner of said Section 36; thence South 89 degrees 58 minutes 00 seconds West 60.67 feet; thence Southwesterly 506.96 feet along the arc of a 510.50 foot radius curve to the left said curve having a central angle of 56 degrees 53 minutes 54 seconds, and the chord of which bears South 61 degrees 31 minutes 01 seconds West 486.38 feet; thence North 56 degrees 20 minutes 00 seconds West 392.08 feet; thence North 33 degrees 40 minutes 00 seconds East 15.07 feet; thence Northeasterly 844.98 feet along the arc of a 890.90 foot radius curve to the right, said curve having a central angle of 54 degrees 20 minutes 33 seconds, and the chord of which bears North 60 degrees 50 minutes 17 seconds East 813.66 feet; thence South 09 degrees 34 minutes 32 seconds East 186.05 feet; thence North 90 degrees 00 minutes 00 seconds East 64.57 feet; thence South 00 degrees 00 minutes 00 seconds East 210.93 feet to the point of beginning.

(collectively the "Property"), together with the right of ingress and egress to, from and over said lands.

The easements located on the Property shall consist of a Permanent Easement as more specifically described below.

SEE ATTACHED EXHIBIT "A"s

The GRANTEE may remove pavement, fences, shrubs, trees or other surface or subsurface landscaping or improvements if reasonably required for its exercise of the easement rights. This conveyance includes a release of any and all claims to damages arising from or incidental to the exercise of any of the rights granted herein, except claims arising from the negligent acts of GRANTEE. GRANTEE will restore the surface of the Property to its original condition as near as may be reasonable for any activities GRANTEE conducts on the surface of the Property. Such restoration shall include grading, seeding and repair of roadway, driveway, walkway and parking areas (paved and unpaved) but shall not include replacement of trees, major shrubbery or fences.

OWNERS shall retain the right to use the Permanent Easement for purposes not inconsistent with the GRANTEE'S full enjoyment of the rights granted by this Permanent Easement, provided that it is expressly understood the OWNERS shall not place or permit to be placed, trees, major shrubbery, fences or buildings, upon, over or under the above-described Permanent Easement.

The OWNERS hereby agree to save and hold GRANTEE harmless from any and all claims, debts, causes of action or judgments for any damage to property and/or injury to any persons which may arise out of any construction within or use of easement areas by the OWNERS, their agents, employees, representatives, contractors, successors or assigns.

The OWNERS and their successors or assigns agree that if any buildings or other structures are constructed by them, their successors or assigns, near or adjacent to said Permanent Easement, and because of the construction of such buildings and other structures, it should become necessary to structurally support, shore, brace or otherwise provide for the stability of such buildings, surface or subsurface structures so that the GRANTEE may perform the work of constructing, maintaining, replacing and repairing the facilities installed within the easement, the OWNERS shall assume such

expense for support, shoring and bracing.

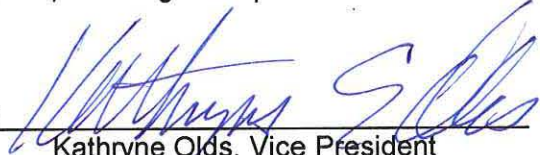
The OWNERS reserve the right to grant to others additional easement rights, in the easement hereby being granted, for the installation and maintenance of gas, electric power, telephone structures and lines; said right being subject to approval by the GRANTEE as to location and size of the proposed easement and utilities. Said approval by the GRANTEE shall not be unreasonably withheld. All such additional easements shall be subject to the prior rights of the GRANTEE and additional expenses incurred in the construction, maintenance, repair or replacing of the facilities owned by the GRANTEE resulting from these additional easements and the presence of gas, electric or telephone structures and lines, shall be assumed by the owners of the structures or lines causing such extra expense.

This Agreement shall be binding on and for the benefit of the parties hereto, their heirs, representatives, successors and assigns. The rights granted in this Agreement may be assigned by GRANTEE in whole or in part.

Executed this 27TH day of FEBRUARY, 2003

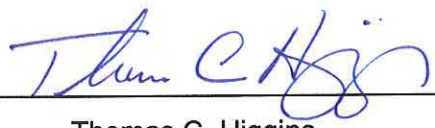
RUDDIMAN ASSOCIATES LIMITED
PARTNERSHIP

By: Glenview Associates, Inc. its General
Partner, a Michigan corporation

By: 
Kathryne Olds, Vice President

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

On this day 27TH day of FEBRUARY, 2003, before me, a Notary Public in and for said County, personally appeared Kathryn Olds, to me known, who being by me duly sworn, did say that she is the Vice President of Glenview Associates, Inc. a Michigan corporation, the General Partner to Ruddiman Associates Limited Partnership, a Michigan limited partnership which executed the foregoing Easement Agreement, and that said Kathryn Olds signed such instrument on behalf of and with the authority of such corporation as General Partner, and she acknowledged such instrument to be the free act and deed of herself, the General Partner and said limited partnership.

 Notary Public
Thomas C. Higgins

Muskegon County, Michigan

My Commission expires: March 29, 2003

HACKLEY LIMITED DIVIDEND HOUSING ASSOCIATION,
L.L.C., a Michigan limited liability company

By: R W Properties I L.L.C., its Member, a Michigan
limited liability company

By: 
Shirley A. Woodruff, Member

By: Ruddiman Associates Limited Partnership, its
Member, a Michigan limited partnership

By: Glenview Associates, Inc., its General
Partner, a Michigan corporation

By: 
Kathryne Olds, Vice President

HACKLEY LIMITED DIVIDEND HOUSING ASSOCIATION
II, L.L.C., a Michigan limited liability company

By: R W Properties I L.L.C., its Member, a Michigan
limited liability company

By: 
Shirley A. Woodruff, Member

By: Ruddiman Associates Limited
Partnership, its Member, a Michigan
limited partnership

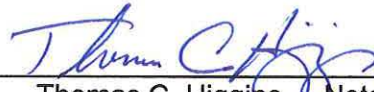
By: Glenview Associates, Inc., its
General Partner, a Michigan
corporation

By: 
Kathryne Olds, Vice President

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

On this 27th day of FEBRUARY, 2003, before me a Notary Public
in and for said County, personally appeared Shirley A. Woodruff as a member of R.W. Properties I
L.L.C., a Member of Hackley Limited Dividend Housing Association, L.L.C. and Hackley Limited
Dividend Housing Association II, L.L.C., which executed the foregoing Easement Agreement, and
said Shirley A. Woodruff signed such instrument on behalf of and with the authority of such limited

liability companies as a Member, and she acknowledged such instrument to be the free act and deed of herself, the Member and said limited liability companies.


Thomas C. Higgins, Notary Public

County of Muskegon, State of Michigan
My Commission Expires: March 29, 2003

STATE OF MICHIGAN)
) SS
COUNTY OF MUSKEGON)

On this 27TH day of FEBRUARY, 2003, before me a Notary Public in and for said County, personally appeared Kathryn Olds as Vice President of Glenview Associates, Inc., a Michigan corporation, the General Partner of Ruddiman Associates Limited Partnership, a Michigan limited partnership, a Member of Hackley Limited Dividend Housing Association, L.L.C. and Hackley Limited Dividend Housing Association II, L.L.C., which executed the foregoing Easement Agreement and said Kathryn Olds signed such instrument on behalf of and with the authority of such corporation as General Partner, and she acknowledged such instrument to be the free act and deed of herself, the General Partner, the limited partnership, and said limited liability companies.


Thomas C. Higgins, Notary Public

County of Muskegon, State of Michigan
My Commission Expires: March 29, 2003

Drafted by and when recorded return to:
Karl L. Gotting, Esq.
Loomis, Ewert, Parsley, Davis & Gotting, P.C.
232 South Capitol Avenue, Suite 1000
Lansing, Michigan 48933

AGREED TO AND ACCEPTED BY:

THE CITY OF MUSKEGON

By: _____

Steve Warmington

Its: Mayor

Subscribed and sworn to before me

this 14th day of March 2003.

Gail A. Kunderger
Gail A. Kunderger

Notary Public

Muskegon County, State of Michigan

My commission expires: October 1, 2005

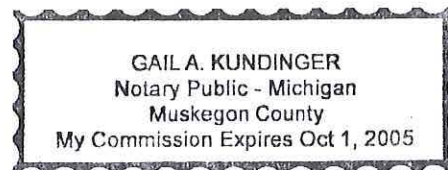
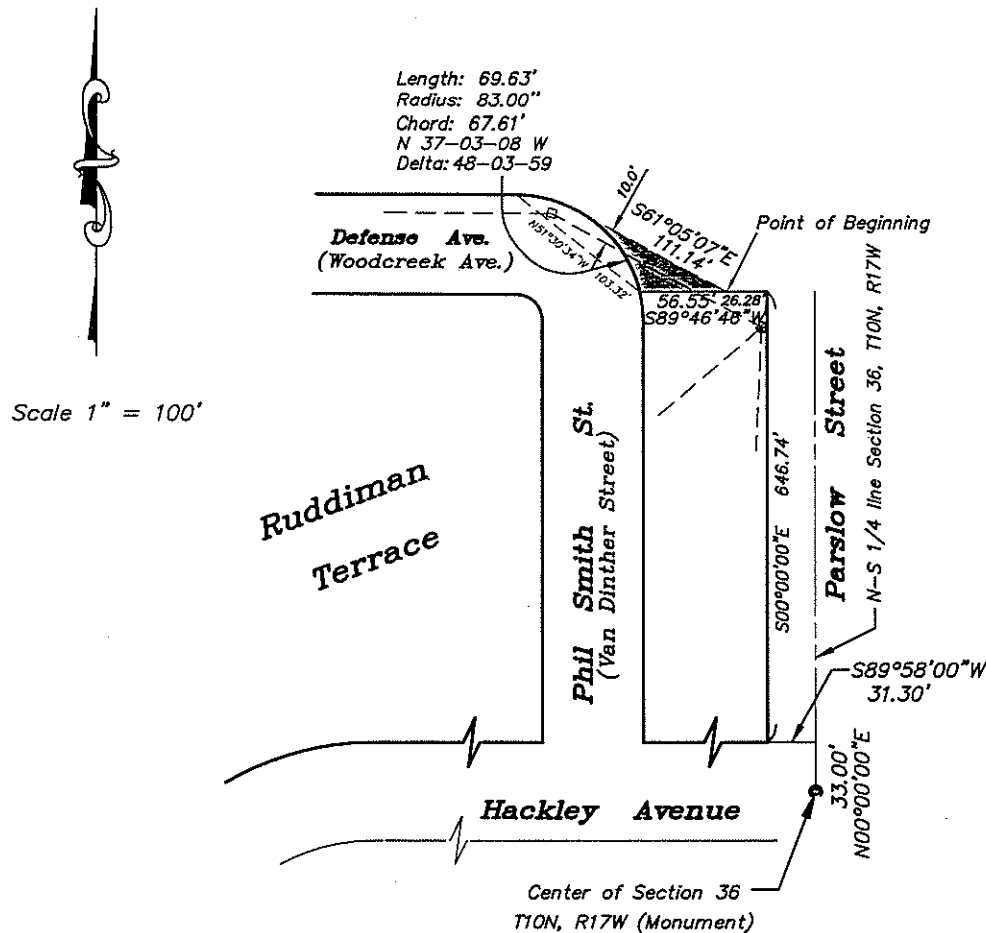


Exhibit "A"



EASEMENT "6" DESCRIPTION:

An Easement for Storm Sewer purposes over that part of Ruddiman Terrace, Section 36, T10N, R17W, City of Muskegon, Muskegon County, Michigan, as recorded in Liber 12 of Plats on pages 33 and 34, described as: Commencing at the Central 1/4 corner of said Section 36; thence N00°00'00"E 33.00 feet along the N-S 1/4 line of said Section 36; thence S89°58'00"W 31.30 feet on the North line of Hackley Avenue; thence N00°00'00"E 646.74 feet along the West line of Parslow Street; thence S89°46'46"W 26.28 feet to the Point of Beginning for this Description; thence S89°46'46"W 56.55 feet; thence Northwesterly 69.63 feet along the arc of an 83.00 foot radius curve to the left, said curve having a central angle of 48°03'59", and the chord of which bears N37°03'08"W 67.61 feet; thence S61°05'07"E 111.14 feet to the Point of Beginning.

Nederveld Associates Surveying, Inc.
 Engineering — Surveying
 5570 32nd Avenue / P.O. Box 10
 Hudsonville, Michigan 49426

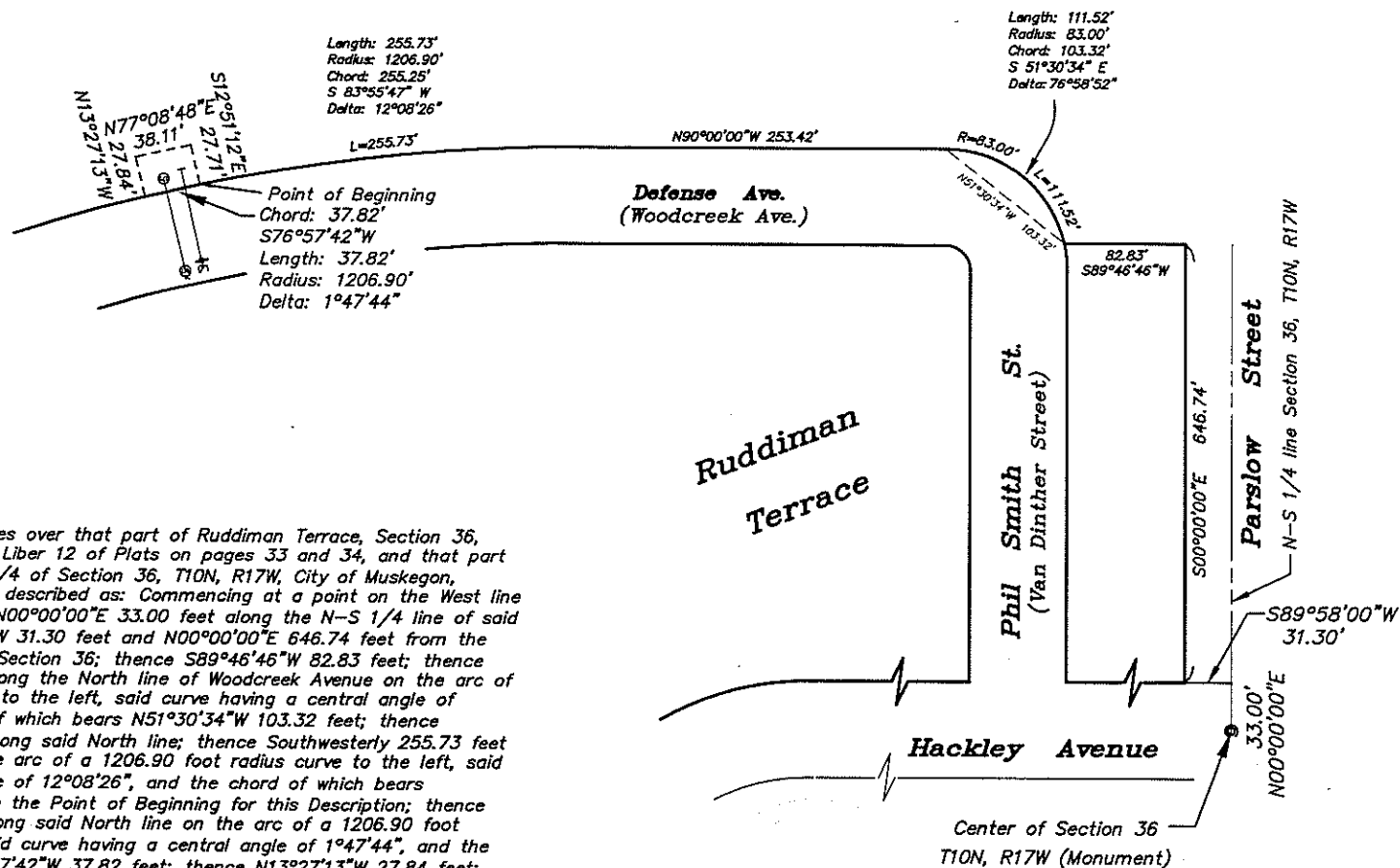
File No. 02200812E-6 Date: 11-22-02 by SA

Exhibit "A"

Scale 1" = 100'

EASEMENT "9" DESCRIPTION:

An Easement for Utilities over that part of Ruddiman Terrace, Section 36, T10N, R17W, as recorded in Liber 12 of Plats on pages 33 and 34, and that part of the SE 1/4 of the NW 1/4 of Section 36, T10N, R17W, City of Muskegon, Muskegon County, Michigan, described as: Commencing at a point on the West line of Parslow Street which is N00°00'00"E 33.00 feet along the N-S 1/4 line of said Section 36 and S89°58'00"W 31.30 feet and N00°00'00"E 646.74 feet from the Central 1/4 corner of said Section 36; thence S89°46'46"W 82.83 feet; thence Northwesterly 111.52 feet along the North line of Woodcreek Avenue on the arc of an 83.00 foot radius curve to the left, said curve having a central angle of 76°58'52", and the chord of which bears N51°30'34"W 103.32 feet; thence N90°00'00"W 253.42 feet along said North line; thence Southwesterly 255.73 feet along said North line on the arc of a 1206.90 foot radius curve to the left, said curve having a central angle of 12°08'26", and the chord of which bears S83°55'47"W 255.25 feet to the Point of Beginning for this Description; thence Southwesterly 37.82 feet along said North line on the arc of a 1206.90 foot radius curve to the left, said curve having a central angle of 1°47'44", and the chord of which bears S76°57'42"W 37.82 feet; thence N13°27'13"W 27.84 feet; thence N77°08'48"E 38.11 feet; thence S12°51'12"E 27.71 feet to the Point of Beginning.



Nederveld Associates Surveying, Inc.
Engineering — Surveying
5570 32nd Avenue / P.O. Box 10
Hudsonville, Michigan 49426

File No. 02200812E-9 Date: 12-16-02 by SA

Exhibit "A"

EASEMENT "10" DESCRIPTION (2-4-03):

An Easement for Utilities over that part of Ruddiman Terrace, Section 36, T10N, R17W, City of Muskegon, Muskegon County, Michigan, as recorded in Liber 12 of Plats on pages 33 and 34, described as: Commencing at the Central 1/4 corner of said Section 36; thence N00°00'00"E 33.00 feet along the N-S 1/4 line of said Section 36; thence S89°58'00"W 178.00 feet; thence N00°00'00"E 160.73 feet along the West line of Phil Smith Street to the Point of Beginning; thence N86°05'42"W 246.81 feet; thence N00°00'54"W 467.27 feet; thence S90°00'00"E 30.00 feet; thence S00°00'54"E 439.25 feet; thence S86°05'42"E 216.75 feet; thence S00°00'00"W 30.07 feet along the West line of said Phil Smith Street to the Point of Beginning.

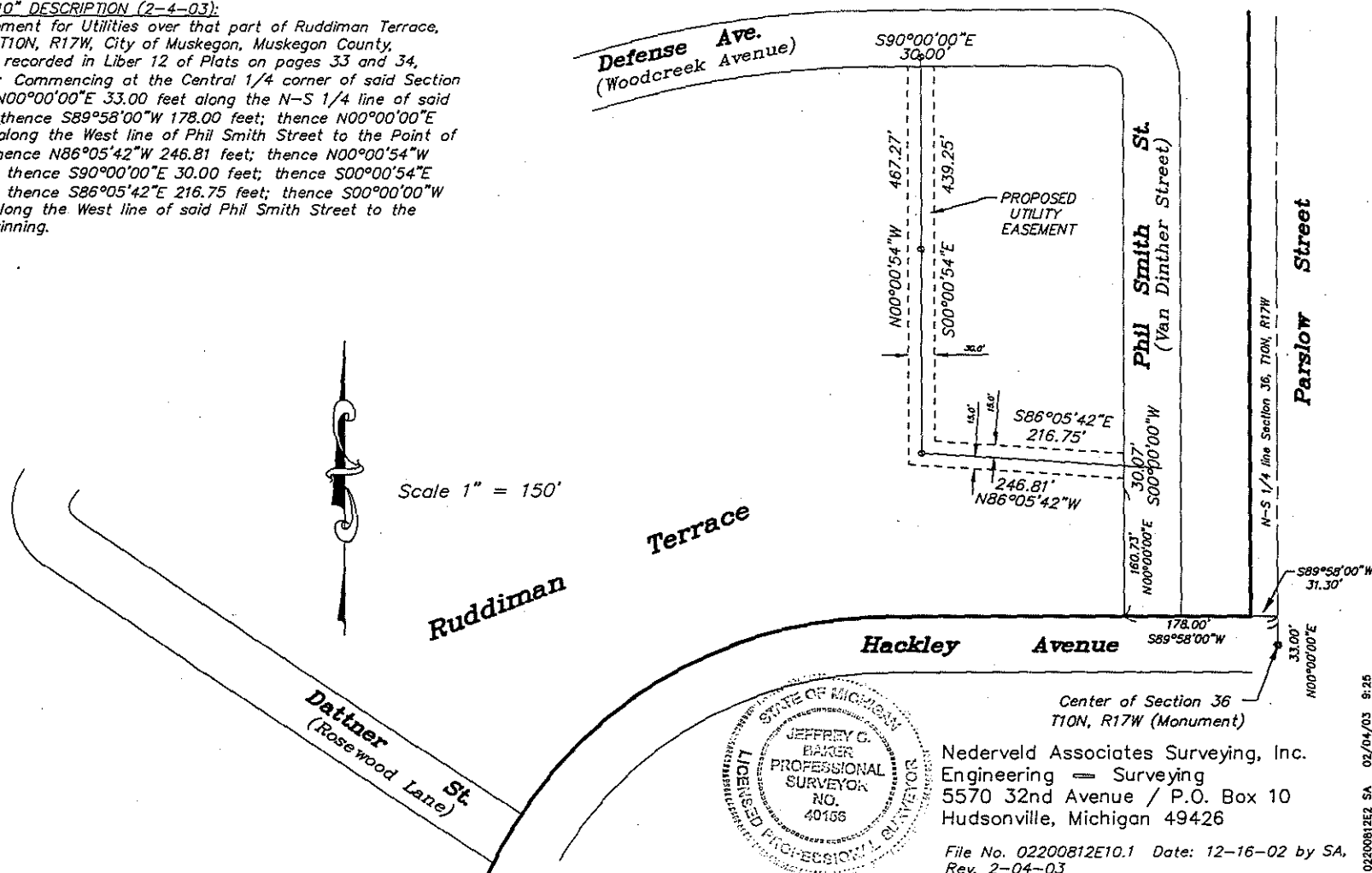


Exhibit "A"



Scale 1" = 100'

EASEMENT "11" DESCRIPTION:

An Easement for Utilities over that part of Ruddiman Terrace, Section 36, T10N, R17W, as recorded in Liber 12 of Plats on pages 33 and 34, City of Muskegon, Muskegon County, Michigan, described as: Beginning at a point which is N00°00'00"E 33.00 feet along the N-S 1/4 line of said Section 36 and S89°58'00"W 64.02 feet from the Central 1/4 corner of said Section 36; thence S89°58'00"W 47.96 feet along the North line of Hackley Avenue; thence N00°00'00"W 55.94 feet along the East line of Phil Smith Street; thence S45°00'00"E 67.77 feet; thence S00°16'51"E 8.00 feet to the Point of Beginning.

Ruddiman
Terrace

Phil Smith St.
(Van Dinther Street)

Parslow Street

N-S 1/4 line Section 36, T10N, R17W

Hackley Avenue

Center of Section 36
T10N, R17W (Monument)

Nederveld Associates Surveying, Inc.
Engineering = Surveying
5570 32nd Avenue / P.O. Box 10
Hudsonville, Michigan 49426

File No. 02200812E-11 Date: 12-16-02 by SA

Community Promotions, Inc.

Date: 3/11/03
To: Muskegon City Commission
Cc: Bob Jacobs, President
From: Joe Austin, Secretary/Treasurer
RE: Resolution for recognition of nonprofit

2003-25 c).

The Board of Community Promotions, Inc. is requesting that the Muskegon City Commission consider a resolution recognizing Community Promotions, Inc. as a nonprofit organization operating in the community. The purpose of this resolution is to obtain a charitable gaming license to hold a raffle. Proceeds from the raffle will help support the Summer Celebration fireworks program. Attached is our tax status from the IRS.

We thank you for your consideration.

JCA

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date JUL 24 2000

COMMUNITY PROMOTION INC
175 W APPLE AVE
MUSKEGON, MI 49443

Employer Identification Number:
38-3539840
DLN:
17053179049010
Contact Person:
GWENDOLYN S GILBOY ID# 31302
Contact Telephone Number:
(877) 829-5500
Internal Revenue Code
Section 501(c)(4)
Accounting Period Ending:
December 31
Form 990 Required:
Yes
Addendum Applies:
No

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(a) of the Internal Revenue Code as an organization described in the section indicated above.

Unless specifically excepted, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) for each employee to whom you pay \$100 or more during a calendar year. And, unless excepted, you are also liable for tax under the Federal Unemployment Tax Act for each employee to whom you pay \$50 or more during a calendar quarter if, during the current or preceding calendar year, you had one or more employees at any time in each of 20 calendar weeks or you paid wages of \$1,500 or more in any calendar quarter. If you have any questions about excise, employment, or other Federal taxes, please address them to this office.

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status. In the case of an amendment to your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, you should inform us of all changes in your name or address.

In the heading of this letter we have indicated whether you must file Form 990, Return of Organization Exempt From Income Tax. If Yes is indicated, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. However, if you receive a Form 990 package in the mail, please file the return even if you do not exceed the gross receipts test. If you are not required to file, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If a return is required, it must be filed by the 15th day of the fifth

Letter 948 (DO/CG)

COMMUNITY PROMOTION INC

status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

Steven T. Miller

Steven T. Miller
Director, Exempt Organizations



Charitable Gaming Division
Box 30023, Lansing, MI 48909
OVERNIGHT DELIVERY:
101 E. Hillsdale, Lansing MI 48933
(517) 335-5780
www.michigan.gov/cg

2003-25 c)

LOCAL GOVERNING BODY RESOLUTION FOR CHARITABLE GAMING LICENSES

(Required by MCL 432.103(9))

At a regular meeting of the City of Muskegon
REGULAR OR SPECIAL TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD

called to order by Mayor Steve Warmington on March 11, 2003
DATE

at 5:30 PM a.m./p.m. the following resolution was offered:
TIME

Moved by Commissioner Spataro and supported by Commissioner Gawron

that the request from Community Promotions, Inc. of Muskegon,
NAME OF ORGANIZATION CITY

county of Muskegon, asking that they be recognized as a
COUNTY NAME

nonprofit organization operating in the community for the purpose of obtaining a charitable

gaming license, be considered for Approval.
APPROVAL/DISAPPROVAL

APPROVAL

Yeas: 6

Nays: 0

Absent: 1

DISAPPROVAL

Yeas:

Nays:

Absent:

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

adopted by the City of Muskegon at a regular
TOWNSHIP, CITY, OR VILLAGE COUNCIL/BOARD REGULAR OR SPECIAL

meeting held on March 11, 2003.
DATE

SIGNED: Gail Kunderger
TOWNSHIP, CITY OR VILLAGE CLERK

Gail Kunderger City Clerk
PRINTED NAME AND TITLE

933 Terrace St., Muskegon, MI 49440
ADDRESS

COMPLETION: Required.
PENALTY: Possible denial of application.
BSL-CG-1153(R7/02)