

**RESOLUTION
APPROVING THE DEVELOPMENT PLAN
AND TAX INCREMENT FINANCE PLAN
FOR THE LOCAL DEVELOPMENT FINANCE AUTHORITY
OF THE VILLAGE OF FOWLerville**

PREMISES

The Local Development Finance Authority of the Village of Fowlerville (the "Authority") has prepared and recommended for approval the Development Plan and Tax Increment Financing Plan on file with the Village Clerk (the "Authority Plan") for the Authority District within the Village of Fowlerville (the "Village"). On April 19, 1993, the Village Council of the Village of Fowlerville (the "Council") held a public hearing on the Authority Plan pursuant to Act 281, Public Acts of Michigan of 1986, as amended (the "Act"). The Council has given the taxing jurisdictions in which the Authority District is located an opportunity to meet with the Council to express their views and recommendations regarding the Authority Plan, as required by the Act. Pursuant to Section 17 of the Act, the Council proposes to approve the Authority Plan with modifications (the "Plan").

NOW, THEREFORE, THE VILLAGE COUNCIL OF THE VILLAGE OF FOWLerville ORDAINS:

1. Findings.

(a) The Development Plan portion of the Plan, as modified hereby, meets the requirements set forth in section 15(2) of the Act and the Tax Increment Financing Plan portion of the Plan, as modified hereby, meets the requirements set forth in section 12(2),(3) and (4) of the Act.

(b) The proposed method of financing the public facility or facilities is feasible and the Authority has the ability to arrange the financing.

(c) The development is reasonable and necessary to carry out the purposes of the Act.

(d) The Development Plan portion of the Plan, as modified hereby, is in reasonable accord with the master plan of the Village.

(e) The public services, such as fire and police protection, and utilities, are or will be adequate to service the property within the Authority District.

(f) Changes in zoning, streets, street levels, intersections, and utilities, to the extent required by the project, are reasonably necessary for the Plan and for the Village of Fowlerville.

(g) Any land included in the Authority District which is to be acquired by the Authority or the Village on behalf of the Authority is reasonably necessary to carry out the purposes of the Plan and of the Act.

(h) The amount of captured assessed value estimated to result from adoption of the Plan, as modified hereby, is reasonable.

2. Public Purpose. The Council hereby determines that the Plan, as modified hereby, constitutes and serves a public purpose.

3. Approval and Adoption of Plan. The Plan attached hereto (including the modifications included therein to the Introduction, Sections 15(2)(a), (b), (c), (e), (f), (i), (j), and (p) of the Development Plan portion of the Plan, Sections 12(a), (d), (f), (h), (j) and (k) of the Tax Increment Financing Plan portion of the Plan and to Exhibits A, B, C, and D of the Plan) is incorporated by reference herein as part of this Resolution and is hereby approved and adopted. A copy of the Plan shall be maintained on file with the Village Clerk.

4. Preparation of Annual Tax Increment Assessment Roll. The Village Treasurer shall prepare the base year assessment roll showing the initial assessed value (as that term is defined in the Act) of all eligible property subject to the Plan. Each year within 15 days following the final equalization of eligible property subject to the Plan, the Village Treasurer shall prepare the tax increment assessment roll. The tax increment assessment roll shall show the initial assessed value of all eligible property subject to the Plan and the amount by which the current assessed value of all eligible property subject to the Plan as finally equalized exceeds the initial assessed value. Copies of the annual tax increment roll shall be transmitted by the Village Treasurer to the treasurers of each taxing jurisdiction in which the Authority District is located, together with a notice that it has been prepared in accordance with this Resolution and the Act.

5. Establishment of Project Fund; Approval of Depositary. The treasurer of the Authority shall establish a separate fund which shall be kept in a depositary bank account or accounts in a bank or banks approved by the treasurer of the Village, to be designated "Local Development Finance Authority Project Fund". All moneys received by the Authority pursuant to the Plan shall be deposited in the Project Fund. All moneys in the Project Fund and earnings thereon shall be used only in accordance with the Plan.

6. Use of Moneys in the Project Fund. The moneys credited to the Project Fund and on hand therein from time to time shall be used annually in the following manner and following order of priority:

First, to pay into the debt retirement fund or funds for all outstanding obligations issued or incurred for Plan purposes an amount equal to the interest and principal coming due (in the case of principal whether by maturity or mandatory redemption) prior to the next collection of taxes, less any credit for sums on hand in the debt retirement fund.

Second, to establish a reserve account for payment of principal of and interest on obligations issued or incurred pursuant to the Plan to the extent required by such obligations.

Third, to pay the administrative, auditing and operating costs of the Authority and the Village pertaining to the Authority District, including planning and promotion costs, to the extent provided in the annual budget of the Authority.

Fourth, to repay any amounts advanced by the Village for Plan costs, including costs of preliminary plans, and fees for other professional services.

Fifth, to pay the cost of completing the remaining public facilities, if any, as set forth in the Plan to the extent those costs are not financed from other sources.

7. Annual Report. Within 90 days after the end of each fiscal year, the Authority shall submit to the Village Council, with copies to each taxing jurisdiction and to the State Tax Commission, a financial report on the status of the Project Fund and of the Plan as required by the Act.

8. Refund of Surplus Tax Increments. Any surplus money in the Project Fund at the end of a year which are not needed to further the development program in accordance with the Plan, as determined by resolution of the Authority, shall be paid by the Authority to the respective taxing bodies as required by the Plan and the Act.

9. Conflict and Severability. All ordinances, resolutions and orders or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed, and each section of this Resolution and each subdivision of each section is hereby declared to be independent, and the finding or holding of any section or subdivision of this Resolution to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision of this Resolution.

10. Paragraph Headings. The paragraph headings in this Resolution are furnished for convenience of reference only and shall not be considered to be a part of this Resolution.

11. Publication and Recordation. This Resolution shall be published in full promptly after its adoption in the Fowlerville News and Views, a newspaper of general circulation in the Village of Fowlerville, qualified under State law to publish legal notices, and shall be recorded by the Village Clerk, which recording shall be authenticated by the signature of the Clerk.

12. Development Agreement. The President of the Village is hereby authorized and directed to complete, with such modifications as may be agreed to by the President are in the interest of the Village, execute and deliver a Development Agreement between the Village, the Authority and Kelsey-Hayes Company substantially in the form attached hereto as Exhibit A in order to effectuate the project contemplated by the Plan.

13. Effective Date. This Resolution is hereby determined by the Village Council to be immediately necessary for the interests of the Village of Fowlerville and shall be in full force and effect from and after its passage and publication as required by law.

PASSED AND ADOPTED by the Village Council of the Village of Fowlerville, County of Livingston, Michigan, on June 28, 1993.

AYES: Members Carlton, Woodward, Ries, Hyden, Larry, Spears, Clark

NAYS: Members none

RESOLUTION DECLARED ADOPTED.

Thurmond J. Brown

I hereby certify that the foregoing is a true and complete copy of Resolution No. ___ adopted by the Village Council of the Village of Fowlerville, County of Livingston, Michigan, at a regular meeting held on June 28 , 1993, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said act.

Thurmond J. Brown
Clerk