

EM SUBMISSION NO.: 2012 Em 404.1

PRESENTED: 7/18/12

ADOPTED: 7/19/12

**BY THE EMERGENCY MANAGER:**

**AMENDED**  
**RESOLUTION APPROVING OBSOLETE PROPERTY**  
**REHABILITATION EXEMPTION CERTIFICATE**  
(Public Act 146 of 2000, As Amended – Uptown RDA, LLC)

(420 S. Saginaw Street)

On November 28, 2011, Governor Rick Snyder appointed Michael K. Brown as the Emergency Manager for the City of Flint; and,

Pursuant to the Local Government and School District Fiscal Accountability Act, Public Act 4 of 2011 (Public Act 4), §19(1)(dd), the Emergency Manager shall “exercise solely, for and on behalf of the local government, all other authority and responsibilities of the chief administrative officer and governing body concerning the adoption, amendment, and enforcement of ordinances or resolutions of the local government; and

Pursuant to Public Act 4, §19(2), “except as otherwise provided in this act, ... the authority of the chief administrative officer and governing body to exercise power for and on behalf of the local government under law, charter, and ordinance shall be suspended and vested in the emergency manager;” and

Pursuant to the Obsolete Property Rehabilitation Act, Public Act 146 of 2000 (Public Act 146), the City of Flint is a qualified local governmental unit eligible to establish one or more Obsolete Property Rehabilitation Districts; and

The City of Flint has legally established an Obsolete Property Rehabilitation District that includes buildings/parcels that are contiguous with each other: 420 S. Saginaw Street, Parcel #41-18-107-024; 352 S. Saginaw Street, Parcel #41-18-102-019; 111 W. Kearsley Street, Parcel #41-18-107-001; 116 W. Kearsley Street, Parcel #41-18-101-011; and, 126 W. Kearsley Street, Parcel #41-18-101-005; and

The taxable value of this exemption plus the aggregate taxable value of property already exempt does not exceed 5% of the total taxable value of the City of Flint; and

The applicant, Uptown RDA, LLC, is not delinquent in any taxes related to the facility and has provided to the City of Flint all required items listed under the application instructions; and

The application is for obsolete property as defined in Section 2(h) of Public Act 146, as amended; and

Rehabilitation of the property, as covered by this exemption, had not begun prior to June 18, 2012, the date the Obsolete Property Rehabilitation District was established; and

The application relates to a rehabilitation program that, when completed, constitutes a rehabilitated facility within the meaning of Public Act 146, as amended, situated within an Obsolete Property Rehabilitation District; and

Completion of the rehabilitation is calculated to, and will at the time of issuance of the certification, have the reasonable likelihood to increase commercial activity, to create employment, to retain employment, and to revitalize an urban area; and

The rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by Section 2(1) of Public Act 146, as amended; and

A public hearing was held on July 2, 2012 and all residents and taxpayers of the City of Flint were afforded an opportunity to be heard regarding the Application for Obsolete Property Rehabilitation Exemption Certificate for Uptown RDA, LLC; and,

**IT IS RESOLVED** that the Emergency Manager approves the application for an Obsolete Property Rehabilitation Exemption Certificate for Uptown RDA, LLC, for the obsolete property commonly known as 420 S. Saginaw Street, which is located within the Obsolete Property Rehabilitation District established by Resolution No. 2012EM318.1, and is legally described as follows:

Parcel 1: The South 22 feet of the Easterly 90 feet of the North ½ of Lot 3, VILLAGE OF FLINT, according to the plat thereof as recorded in Liber A of Deeds, pages 214 and 215, and transcribed in Liber 1 of Plats, Page 2, Genesee County Records, except there from the following portion thereof: Commencing at a point on the Westerly line of Saginaw Street, 11 feet Southerly from the Northeast corner of Lot 3, Block 3, VILLAGE OF FLINT; thence Southerly along the Westerly one of Saginaw Street 1.75 feet to the center of present brick wall; thence Westerly along the center of said brick wall approximately 90 feet to a private alley; thence Northerly along the Easterly line of said private alley 2.35 feet; thence Easterly to point of beginning.

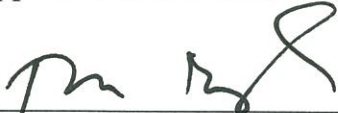
Parcel 2: Commencing at a point on the Westerly line of South Saginaw Street, 14 feet Northerly from the Southeasterly corner of Lot 3, Block 3, VILLAGE OF FLINT, according to the plat thereof as recorded in Liber A of Deeds, pages 214 and 215, transcribed in Liber 1 of Plats, Page 2, Genesee County Records, said point being in the center of a joint partition wall on the Southerly line of the property herein described and the property South of and adjacent to the property herein described; thence Westerly along the centerline of said partition wall 90 feet; thence

Northerly parallel with the Westerly line of Saginaw Street 19 feet; thence Easterly parallel with the center line of said partition wall 90 feet to the Westerly line of Saginaw Street; thence Southerly along the Westerly line of Saginaw Street 19 feet to the point of beginning.

Parcel 3: Commencing at a point 90 feet Westerly, measured along the Southerly line of Kearsley Street from the Northeasterly corner of Lot 1, Block 3 of the VILLAGE OF FLINT, according to the plat thereof as recorded in Liber A of Deeds, pages 214 and 215, and transcribed in Liber 1 of Plats, Page 2, Genesee County Records and 78.75 feet Southerly measured along a line parallel with the Westerly line of Saginaw Street from the Southerly line of Kearsley Street, as the point of beginning;; thence Southerly parallel with the Westerly line of Saginaw Street 39.25 feet; thence Westerly parallel with the Southerly line of Kearsley Street 10 feet; thence Northerly parallel with the Westerly line of Saginaw Street 39.25 feet; thence Easterly to the point of beginning.


**IT IS FURTHER RESOLVED** by the Emergency Manager that when issued, the Obsolete Property Rehabilitation Exemption Certificate for 420 S. Saginaw St. shall be and remain in force and effect for a period of twelve (12) years, in addition to a two (2) year construction period, pursuant to the provisions of Public Act 146, as amended.

**Approved as to Form:**

  
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Peter M. Bade, City Attorney

**EM DISPOSITION:**

ENACT ✓      FAIL \_\_\_\_\_      DATED 7-19-12 \_\_\_\_\_

  
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Michael K. Brown, Emergency Manager

S:\P. Bade\EM2011\Resolutions\OPRA Robert David Allen\Amended.Reso.Approval.OPRECertificateforRDA.07.18.12.DOC