



**KALAMAZOO COUNTY, MICHIGAN
BROWNFIELD REDEVELOPMENT AUTHORITY**

**BROWNFIELD PLAN
FOR**

**CORNER @ DRAKE ROAD DEVELOPMENT
NW CORNER – DRAKE RD. AND STADIUM DR.
OSHTEMO TOWNSHIP, MICHIGAN**

Prepared for:

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TABLE OF CONTENTS

I. GENERAL DEFINITIONS AS USED IN THIS PLAN	1
II. ELIGIBLE PROPERTIES	10
INTRODUCTION	10
BASIS OF ELIGIBILITY.....	11
THE PLAN.....	11

LIST OF TABLES

TABLE 1: SUMMARY OF ELIGIBLE COSTS.....	14
TABLE 2: ESTIMATE OF TOTAL CAPTURED INCREMENTAL TAXES	15
TABLE 3: ESTIMATE OF ANNUAL CAPTURED INCREMENTAL TAXES FOR EACH AFFECTED TAXING JURISDICTION.....	18
TABLE 4: CAPTURED TAXABLE VALUE AND TAX INCREMENT REVENUE BY YEAR AND AGGREGATE FOR EACH TAXING JURISDICTION	19
TABLE 5: REIMBURSEMENT SCHEDULE.....	20

ATTACHMENTS

ATTACHMENT A: FIGURES	<i>Location Map: USGS Topographic Map</i> <i>Site Plan Survey and Legal Descriptions</i>
ATTACHMENT B: NOTICE OF PUBLIC HEARING	
ATTACHMENT C: NOTICE TO TAXING JURISDICTIONS	
ATTACHMENT D: OSHTEMO TOWNSHIP FUNCTIONAL OBSOLESCE DOCUMENTATION	
ATTACHMENT E: OSHTEMO TOWNSHIP RESOLUTION SUPPORTING A BROWNFIELD PLAN KALAMAZOO COUNTY RESOLUTION APPROVING A BROWNFIELD PLAN	



BROWNFIELD PLAN

CORNER @ DRAKE RD. REDEVELOPMENT NW CORNER – DRAKE RD. AND STADIUM DR. OSHTEMO TOWNSHIP, MICHIGAN

I. GENERAL DEFINITIONS AS USED IN THIS PLAN

The General Definitions referenced in this Brownfield Plan have been obtained directly from the statute, 1996 PA 381 Sec. 2, as amended.

- (a) "Additional response activities" means response activities identified as part of a brownfield plan that are in addition to baseline environmental assessment activities and due care activities for an eligible property.
- (b) "Authority" means a brownfield redevelopment authority created under this act.
- (c) "Baseline environmental assessment" means that term as defined in section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.
- (d) "Baseline environmental assessment activities" means those response activities identified as part of a brownfield plan that are necessary to complete a baseline environmental assessment for an eligible property in the brownfield plan.
- (e) "Blighted" means property that meets any of the following criteria as determined by the governing body:
 - (i) Has been declared a public nuisance in accordance with a local housing, building, plumbing, fire, or other related code or ordinance.
 - (ii) Is an attractive nuisance to children because of physical condition, use, or occupancy.
 - (iii) Is a fire hazard or is otherwise dangerous to the safety of persons or property.
 - (iv) Has had the utilities, plumbing, heating, or sewerage permanently disconnected, destroyed, removed, or rendered ineffective so that the property is unfit for its intended use.
 - (v) Is tax reverted property owned by a qualified local governmental unit, by a county, or by this state. The sale, lease, or transfer of tax reverted property by a qualified local governmental unit, county, or this state after the property's inclusion in a brownfield plan shall not result in the loss to the property of the status as blighted property for purposes of this act.
 - (vi) Is property owned or under the control of a land bank fast track authority, whether or not located within a qualified local governmental unit. Property included within a brownfield plan

prior to the date it meets the requirements of this subdivision to be eligible property shall be considered to become eligible property as of the date the property is determined to have been or becomes qualified as, or is combined with, other eligible property. The sale, lease, or transfer of the property by a land bank fast track authority after the property's inclusion in a brownfield plan shall not result in the loss to the property of the status as blighted property for purposes of this act.

- (vii) Has substantial subsurface demolition debris buried on site so that the property is unfit for its intended use.
- (f) "Board" means the governing body of an authority.
- (g) "Brownfield plan" means a plan that meets the requirements of section 13 and is adopted under section 14.
- (h) "Captured taxable value" means the amount in 1 year by which the current taxable value of an eligible property subject to a brownfield plan, including the taxable value or assessed value, as appropriate, of the property for which specific taxes are paid in lieu of property taxes, exceeds the initial taxable value of that eligible property. The state tax commission shall prescribe the method for calculating captured taxable value.
- (i) "Chief executive officer" means the mayor of a city, the village manager of a village, the township supervisor of a township, or the county executive of a county or, if the county does not have an elected county executive, the chairperson of the county board of commissioners.
- (j) "Combined brownfield plan" means a brownfield plan that also includes the information necessary to submit the plan to the department or Michigan strategic fund under section 15(25).
- (k) "Department" means the department of environmental quality.
- (l) "Due care activities" means those response activities identified as part of a brownfield plan that are necessary to allow the owner or operator of an eligible property in the plan to comply with the requirements of section 20107a of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20107a.
- (m) "Economic opportunity zone" means 1 or more parcels of property that meet all of the following:
 - (i) That together are 40 or more acres in size.
 - (ii) That contain or contained a manufacturing facility that consists or consisted of 500,000 or more square feet.
 - (iii) That are located in a municipality that has a population of 30,000 or less and that is contiguous to a qualified local governmental unit.



(n) "Eligible activities" or "eligible activity" means 1 or more of the following:

(i) Baseline environmental assessment activities.

(ii) Due care activities.

(iii) Additional response activities.

(iv) For eligible activities on eligible property that was used or is currently used for commercial, industrial, or residential purposes that is in a qualified local governmental unit, that is owned or under the control of a land bank fast track authority, or that is located in an economic opportunity zone, and is a facility, historic resource, functionally obsolete, or blighted, and except for purposes of section 38d of former 1975 PA 228, the following additional activities:

(A) Infrastructure improvements that directly benefit eligible property.

(B) Demolition of structures that is not response activity under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(C) Lead or asbestos abatement.

(D) Site preparation that is not response activity under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(E) Assistance to a land bank fast track authority in clearing or quieting title to, or selling or otherwise conveying, property owned or under the control of a land bank fast track authority or the acquisition of property by the land bank fast track authority if the acquisition of the property is for economic development purposes.

(F) Assistance to a qualified local governmental unit or authority in clearing or quieting title to, or selling or otherwise conveying, property owned or under the control of a qualified local governmental unit or authority or the acquisition of property by a qualified local governmental unit or authority if the acquisition of the property is for economic development purposes.

(v) Relocation of public buildings or operations for economic development purposes.

(vi) For eligible activities on eligible property that is a qualified facility that is not located in a qualified local governmental unit and that is a facility, functionally obsolete, or blighted, the following additional activities:

(A) Infrastructure improvements that directly benefit eligible property.

(B) Demolition of structures that is not response activity under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(C) Lead or asbestos abatement.



(D) Site preparation that is not response activity under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(vii) For eligible activities on eligible property that is not located in a qualified local governmental unit and that is a facility, historic resource, functionally obsolete, or blighted, the following additional activities:

(A) Demolition of structures that is not response activity under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(B) Lead or asbestos abatement.

(viii) Reasonable costs of developing and preparing brownfield plans, combined brownfield plans, and work plans.

(ix) For property that is not located in a qualified local governmental unit and that is a facility, functionally obsolete, or blighted, that is a former mill that has not been used for industrial purposes for the immediately preceding 2 years, that is located along a river that is a federal superfund site listed under the comprehensive environmental response, compensation, and liability act of 1980, 42 USC 9601 to 9675, and that is located in a city with a population of less than 10,000 persons, the following additional activities:

(A) Infrastructure improvements that directly benefit the property.

(B) Demolition of structures that is not response activity under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(C) Lead or asbestos abatement.

(D) Site preparation that is not response activity under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(x) For eligible activities on eligible property that is located north of the 45th parallel, that is a facility, functionally obsolete, or blighted, and the owner or operator of which makes new capital investment of \$250,000,000.00 or more in this state, the following additional activities:

(A) Demolition of structures that is not response activity under section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.

(B) Lead or asbestos abatement.

(xi) Reasonable costs of environmental insurance.



- (o) Except as otherwise provided in this subdivision, "eligible property" means property for which eligible activities are identified under a brownfield plan that was used or is currently used for commercial, industrial, public, or residential purposes, including personal property located on the property, to the extent included in the brownfield plan, and that is 1 or more of the following:
- (i) Is in a qualified local governmental unit and is a facility, historic resource, functionally obsolete, or blighted and includes parcels that are adjacent or contiguous to that property if the development of the adjacent and contiguous parcels is estimated to increase the captured taxable value of that property.
 - (ii) Is not in a qualified local governmental unit and is a facility, and includes parcels that are adjacent or contiguous to that property if the development of the adjacent and contiguous parcels is estimated to increase the captured taxable value of that property.
 - (iii) Is tax reverted property owned or under the control of a land bank fast track authority.
 - (iv) Is not in a qualified local governmental unit, is a qualified facility, and is a facility, functionally obsolete, or blighted, if the eligible activities on the property are limited to the eligible activities identified in subdivision (n)(vi).
 - (v) Is not in a qualified local governmental unit and is a facility, historic resource, functionally obsolete, or blighted, if the eligible activities on the property are limited to the eligible activities identified in subdivision (n)(vii).
 - (vi) Is not in a qualified local governmental unit and is a facility, functionally obsolete, or blighted, if the eligible activities on the property are limited to the eligible activities identified in subdivision (n)(ix).
 - (vii) Is located north of the 45th parallel, is a facility, functionally obsolete, or blighted, and the owner or operator makes new capital investment of \$250,000,000.00 or more in this state. Eligible property does not include qualified agricultural property exempt under section 7ee of the general property tax act, 1893 PA 206, MCL 211.7ee, from the tax levied by a local school district for school operating purposes to the extent provided under section 1211 of the revised school code, 1976 PA 451, MCL 380.1211.
 - (viii) Is a transit-oriented development.
 - (ix) Is a transit-oriented facility.
 - (x) Is located in a qualified local governmental unit and contains a targeted redevelopment area, as designated by resolution of the governing body and approved by the Michigan strategic fund, of not less than 40 and not more than 500 contiguous parcels. A qualified local governmental unit is limited to designating no more than 2 targeted redevelopment areas for

the purposes of this section in a calendar year. The Michigan strategic fund may approve no more than 5 redevelopment areas for the purposes of this section in a calendar year.

- (p) "Environmental insurance" means liability insurance for environmental contamination and cleanup that is not otherwise required by state or federal law.
- (q) "Facility" means that term as defined in section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.
- (r) "Fiscal year" means the fiscal year of the authority.
- (s) "Functionally obsolete" means that the property is unable to be used to adequately perform the function for which it was intended due to a substantial loss in value resulting from factors such as overcapacity, changes in technology, deficiencies or super adequacies in design, or other similar factors that affect the property itself or the property's relationship with other surrounding property.
- (t) "Governing body" means the elected body having legislative powers of a municipality creating an authority under this act.
- (u) "Historic resource" means that term as defined in section 90a of the Michigan strategic fund act, 1984 PA 270, MCL 125.2090a.
- (v) "Infrastructure improvements" means a street, road, sidewalk, parking facility, pedestrian mall, alley, bridge, sewer, sewage treatment plant, property designed to reduce, eliminate, or prevent the spread of identified soil or groundwater contamination, drainage system, waterway, waterline, water storage facility, rail line, utility line or pipeline, transit-oriented development, transit-oriented facility, or other similar or related structure or improvement, together with necessary easements for the structure or improvement, owned or used by a public agency or functionally connected to similar or supporting property owned or used by a public agency, or designed and dedicated to use by, for the benefit of, or for the protection of the health, welfare, or safety of the public generally, whether or not used by a single business entity, provided that any road, street, or bridge shall be continuously open to public access and that other property shall be located in public easements or rights-of-way and sized to accommodate reasonably foreseeable development of eligible property in adjoining areas. Infrastructure improvements also include 1 or more of the following whether publicly or privately owned or operated or located on public or private property:
 - (i) Underground parking.
 - (ii) Multilevel parking structures.
 - (iii) Urban storm water management systems.



- (w) "Initial taxable value" means the taxable value of an eligible property identified in and subject to a brownfield plan at the time the resolution adding that eligible property in the brownfield plan is adopted, as shown either by the most recent assessment roll for which equalization has been completed at the time the resolution is adopted or, if provided by the brownfield plan, by the next assessment roll for which equalization will be completed following the date the resolution adding that eligible property in the brownfield plan is adopted. Property exempt from taxation at the time the initial taxable value is determined shall be included with the initial taxable value of zero. Property for which a specific tax is paid in lieu of property tax shall not be considered exempt from taxation. The state tax commission shall prescribe the method for calculating the initial taxable value of property for which a specific tax was paid in lieu of property tax.
- (x) "Land bank fast track authority" means an authority created under the land bank fast track act, 2003 PA 258, MCL 124.751 to 124.774.
- (y) "Local taxes" means all taxes levied other than taxes levied for school operating purposes.
- (z) "Michigan strategic fund" means the Michigan strategic fund created under the Michigan strategic fund act, 1984 PA 270, MCL 125.2001 to 125.2094.
- (aa) "Municipality" means all of the following:
- (i) A city.
 - (ii) A village.
 - (iii) A township in those areas of the township that are outside of a village.
 - (iv) A township in those areas of the township that are in a village upon the concurrence by resolution of the village in which the zone would be located.
 - (v) A county.
- (bb) "Owned or under the control of" means that a land bank fast track authority has 1 or more of the following:
- (i) An ownership interest in the property.
 - (ii) A tax lien on the property.
 - (iii) A tax deed to the property.
 - (iv) A contract with this state or a political subdivision of this state to enforce a lien on the property.



- (v) A right to collect delinquent taxes, penalties, or interest on the property.
- (vi) The ability to exercise its authority over the property.
- (cc) "Qualified facility" means a landfill facility area of 140 or more contiguous acres that is located in a city and that contains a landfill, a material recycling facility, and an asphalt plant that are no longer in operation.
- (dd) "Qualified local governmental unit" means that term as defined in the obsolete property rehabilitation act, 2000 PA 146, MCL 125.2781 to 125.2797.
- (ee) "Qualified taxpayer" means that term as defined in sections 38d and 38g of former 1975 PA 228, or section 437 of the Michigan business tax act, 2007 PA 36, MCL 208.1437, or a recipient of a community revitalization incentive as described in section 90a of the Michigan strategic fund act, 1984 PA 270, MCL 125.2090a.
- (ff) "Response activity" means either of the following:
 - (i) Response activity as that term is defined in section 20101 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.20101.
 - (ii) Corrective action as that term is defined in section 21302 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.21302.
- (gg) "Specific taxes" means a tax levied under 1974 PA 198, MCL 207.551 to 207.572; the commercial redevelopment act, 1978 PA 255, MCL 207.651 to 207.668; the enterprise zone act, 1985 PA 224, MCL 125.2101 to 125.2123; 1953 PA 189, MCL 211.181 to 211.182; the technology park development act, 1984 PA 385, MCL 207.701 to 207.718; the obsolete property rehabilitation act, 2000 PA 146, MCL 125.2781 to 125.2797; the neighborhood enterprise zone act, 1992 PA 147, MCL 207.771 to 207.786; the commercial rehabilitation act, 2005 PA 210, MCL 207.841 to 207.856; or that portion of the tax levied under the tax reverted clean title act, 2003 PA 260, MCL 211.1021 to 211.1026, that is not required to be distributed to a land bank fast track authority.
- (hh) "State brownfield redevelopment fund" means the state brownfield redevelopment fund created in section 8a.
- (ii) "Tax increment revenues" means the amount of ad valorem property taxes and specific taxes attributable to the application of the levy of all taxing jurisdictions upon the captured taxable value of each parcel of eligible property subject to a brownfield plan and personal property located on that property, regardless of whether those taxes began to be levied after the brownfield plan was adopted. Tax increment revenues exclude ad valorem property taxes specifically levied for the payment of principal of and interest on either obligations approved by the electors or obligations pledging the unlimited taxing power of the local governmental unit, and specific taxes attributable to those ad valorem property taxes. Tax increment

revenues attributable to eligible property also exclude the amount of ad valorem property taxes or specific taxes captured by a downtown development authority, tax increment finance authority, or local development finance authority if those taxes were captured by these other authorities on the date that eligible property became subject to a brownfield plan under this act.

(jj) "Taxable value" means the value determined under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a.

(kk) "Taxes levied for school operating purposes" means all of the following:

(i) The taxes levied by a local school district for operating purposes.

(ii) The taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906.

(iii) That portion of specific taxes attributable to taxes described under subparagraphs (i) and (ii).

(ll) "Transit-oriented development" means infrastructure improvements that are located within 1/2 mile of a transit station or transit-oriented facility that promotes transit ridership or passenger rail use as determined by the board and approved by the municipality in which it is located.

(mm) "Transit-oriented facility" means a facility that houses a transit station in a manner that promotes transit ridership or passenger rail use.

(nn) "Work plan" means a plan that describes each individual activity to be conducted to complete eligible activities and the associated costs of each individual activity.

(oo) "Zone" means, for an authority established before June 6, 2000, a brownfield redevelopment zone designated under this act.



II. ELIGIBLE PROPERTIES

CORNER @ DRAKE RD. REDEVELOPMENT NW CORNER – DRAKE RD. AND STADIUM DR. OSHTEMO TOWNSHIP, MICHIGAN

Introduction

Gesmundo, LLC is in the process of redeveloping an obsolete residential neighborhood at the northwest corner of Drake Rd. and Stadium Dr. in Oshtemo Township. Gesmundo, LLC has been acquiring property at this location since 1992 ultimately accumulating approximately 39 acres. Many of the houses in this neighborhood were moved to this location over 50 years ago and have passed their useful life. Gesmundo, LLC has incurred costs associated with baseline environmental assessment activities to acquire the multiple parcels as well as additional response activities consisting of asbestos survey, asbestos abatement, and demolition costs incurred razing the obsolete residential structures formerly located onsite. This project will transform a gateway urban location from an obsolete and blighted residential neighborhood into a premier commercial redevelopment. The new investment planned for the site includes an initial approximately 150,000 square foot Costco store with additional mixed-use commercial structures to be built over time in the surrounding development pads which will ultimately result in an investment of approximately \$70,000,000 and the creation of over 600 new jobs.

The subject property historically consisted of forty parcels of land occupying approximately 39 acres situated at the northwest corner of Drake Road and Stadium Drive. In support of redevelopment the forty parcels were consolidated into two larger parcels identified as “Costco Parcel aka Parcel A” and “Developer Parcel aka Remainder Parcel”. On June 10, 2014 The Assessor for Oshtemo Charter Township issued an Affidavit identifying both “Costco Parcel aka Parcel A” and the “Developer Parcel aka Remainder Parcel” as functionally obsolete property as that term is defined under MCL 125.2652(s) based upon the fact that the property is unable to be used to adequately perform the function for which it was intended due to a substantial loss in value resulting from factors such as deterioration and urban decay affected by the surrounding area, including U.S. 131 to the west of Drake Road.

This Plan has been prepared in order to provide for reimbursement of eligible activities associated with redevelopment of the subject property through tax increment capture. The Plan details eligible activities that have been completed as well as anticipated eligible activities that will be

conducted by Gesmundo, LLC, and the KCBRA. Finally, the Plan provides the capture of (5) full years of tax increment for the KCBRA Local Site Remediation Revolving Fund (LSRRF) subject to the total tax capture allowed under the Plan.

As indicated, the project area historically consisted of forty separate legal parcels that have been consolidated into two new parcels to support redevelopment of the site. The parcel identification numbers for the property subject to this Plan, as provided by the Oshtemo Township Assessing Department, are presented below.

“Costco Parcel aka Parcel A” - ID# 3905-25-240-001;

“Developer Parcel aka Remainder Parcel” - ID# 3905-25-240-101.

A legal description and survey of the “Costco Parcel aka Parcel A” and “Developer Parcel aka Remainder Parcel” created through the consolidation of the above referenced parcels are presented in Attachment A.

Basis of Eligibility

The forty parcels that historically made up the subject property have been consolidated into two new parcels to support redevelopment activities: “Costco Parcel aka Parcel A” which will be redeveloped as a Costco retail store; and the “Developer Parcel aka Remainder Parcel” which will be subject to future commercial development. On June 10, 2014 The Assessor for Oshtemo Charter Township issued an Affidavit identifying both “Costco Parcel aka Parcel A” and the “Developer Parcel aka Remainder Parcel” as functionally obsolete property as that term is defined under MCL 125.2652(s) based upon the fact that the property is unable to be used to adequately perform the function for which it was intended due to a substantial loss in value resulting from factors such as deterioration and urban decay affected by the surrounding area, including U.S. 131 to the west of Drake Road.

The parcels subject to this Brownfield Plan represent eligible parcels based upon their designation as functionally obsolete as determined by the Assessor for Oshtemo Charter Township.

The Plan

- (a) A description of the costs of the plan intended to be paid for with tax increment revenues (Section 13(1)(a))**



This Brownfield Plan was developed to reimburse Gesmundo, LLC and the KCBRA for costs already incurred and future anticipated costs to be incurred by Gesmundo, LLC and the KCBRA; including: eligible Baseline Environmental Assessment (i.e. Phase I ESA), Demolition Activities consisting of: pre-demolition asbestos surveys, pre-demolition asbestos abatement, demolition of residential structures, removal of obsolete infrastructure, and removal of concrete demolition debris. Demolition activities also included the removal of the vacated Century Avenue and Highfield Street. A summary of the eligible activities identified for reimbursement is provided below. Additional detail of Plan costs is presented in Table 1.

MDEQ costs eligible for reimbursement under this Plan consist of the following:

- Baseline Environmental Assessment Activities (Gesmundo, LLC)
 - Phase I Environmental Site Assessment (Gesmundo, LLC - \$2,400)

MSF costs eligible for reimbursement under this Plan consist of the following:

- Building Demolition (Gesmundo, LLC)
 - Pre-Demolition Asbestos Survey (\$36,700)
 - Pre-Demolition Asbestos Abatement (\$52,239.50)
 - Demolition of Existing Structures (\$170,095.00)
- Site Demolition (Gesmundo, LLC)
 - Removal of Obsolete Infrastructure (\$10,000)
 - Removal of Concrete Rubble From Drake Edge (\$60,000)

Brownfield Plan Preparation (KCBRA - \$4,000)

The costs detailed in this Plan are necessary eligible activities in support of redevelopment of the subject property. The estimated costs will be reimbursed with non-school tax only.

Upon full reimbursement for these actual eligible costs, the available tax increment will be captured for five full years for placement in the KCBRA Local Site Remediation Revolving Fund (LSRRF) subject to the total allowed in the Plan.

The total amount of tax increment to be captured through the life of this Brownfield Plan shall not exceed the \$1,337,463.33 amount detailed in Table 1.

This Brownfield Plan anticipates the capture of both real property and personal property.



This Brownfield Plan provides for a 3% simple interest payment to Gesmundo, LLC.

(b) A brief summary of the eligible activities that are proposed for each eligible property (Section 13(1)(b))

Eligible activities that have been completed at the site consist of a Phase I Environmental Site Assessment, asbestos survey and abatement, building demolition of private residences, site demolition of obsolete infrastructure and former streets, and preparation of this Brownfield Plan. Limited additional site demolition activities will be completed by Gesmundo, LLC in the future as redevelopment progresses through the fall of 2014.

(c) An estimate of the captured taxable value and tax increment revenues for each year of the plan from each parcel of eligible property. (Section 13(1)(c))

Refer to Table 2.

(d) The method by which the costs of the plan will be financed, including a description of any advances made or anticipated to be made for the costs of the plan from the municipality. (Section 13(1)(d))

Costs for completed baseline environmental assessment and building demolition and site demolition activities were financed by Gesmundo, LLC. The preparation of this Brownfield Plan was financed by the KCBRA. Future eligible activities costs identified in this Plan will be financed by Gesmundo, LLC.

No advances have been made or are anticipated.

Table 5 provides the estimated schedule for repayment to Gesmundo, LLC and the KCBRA as well as capture for the KCBRA LSRRF.

(e) The maximum amount of note or bonded indebtedness to be incurred, if any. (Section 13(1)(e))



The KCBRA has no plans to incur indebtedness to support development of this site.

(f) The duration of the Brownfield Plan, which shall not exceed the lesser of the period authorized under subsections (4) and (5) or 30 years. (Section 13(1)(f))

The County intends to begin capture of tax increment in 2015. This Plan will then remain in place until all eligible activities are reimbursed plus five full years of tax increment capture for the LSRRF has been completed or 30 years or until \$1,337,463.33 of tax increment has been captured, whichever occurs sooner. The Plan currently is estimated to end in 2025.



TABLE 1



Table 1

Summary of Eligible Costs

Corner @ Drake Rd. Development
 NW Corner - Drake Rd. / Stadium Dr.
 Oshtemo Township, Michigan

Eligible Activities	Cost
<u>MDEQ Environmental Activities</u>	
<u>BEA Activities</u>	
Phase I ESA (Gesmundo, LLC)	\$ 2,400.00
<u>MSF Non-Environmental Activities (Gesmundo, LLC)</u>	
<u>Building Demolition</u>	
Pre-Demolition Asbestos Survey	\$ 36,700.00
Pre-Demolition Asbestos Abatement	\$ 52,239.50
Demolition of Existing Structures (Permit Costs + Demolition Costs)	\$ 170,095.00
<u>Site Demolition (Gesmundo, LLC)</u>	
Removal of Obsolete Infrastructure	\$ 10,000.00
Removal of Concrete Rubble From Drake Edge	\$ 60,000.00
<u>Total - MSF Non-Environmental Activities</u>	\$ 329,034.50
CONTINGENCY (5%)	\$ 16,451.73
<u>TOTAL - MSF Non-Environmental Activities with Contingency (Gesmundo, LLC)</u>	\$ 345,486.23
Brownfield Plan (KCBRA)	\$ 4,000.00
KCBRA Annual Administrative/Operating Costs (estimated)	\$ 10,000.00
<u>SUMMARY OF ELIGIBLE COSTS</u>	
TOTAL KCBRA ADMINISTRATIVE/OPERATING COSTS	\$ 110,000.00
TOTAL REIMBURSEMENT TO KCBRA	\$ 4,000.00
TOTAL GESMUNDO, LLC ELIGIBLE COSTS NOT INCLUDING INTEREST	\$ 347,886.23
TOTAL GESMUNDO, LLC INTEREST (3%)	\$ 25,961.76
TOTAL TO LOCAL SITE REMEDIATION REVOLVING FUND (LSRRF)	\$ 849,615.35
TOTAL REIMBURSEMENT NEEDED FROM CAPTURED TAX INCREMENT	\$ 1,337,463.33

TABLE 2

Table 2

Estimate of Total Captured Incremental Taxes

Commercial Property
 NW Corner - Drake Rd. / Stadium Dr.
 Oshtemo Township, Michigan

Commercial Property - NW Corner Drake Rd. / Stadium Dr. ("Parcel A" + "Remainder Parcel")							
Year	Annual Available Millage	Initial Taxable Value (Real Property)	Tax Revenues from Initial Taxable Value	Estimated Future Taxable Value	Tax Revenues from Estimated Future Taxable Value	Incremental Tax Revenues	Available for Capture
2015	15.8966	\$ 1,760,438.00	\$ 27,984.98	\$ 4,500,000.00	\$ 71,534.70	\$ 43,549.72	\$ 43,549.72
2016	15.8966	\$ 1,760,438.00	\$ 27,984.98	\$ 6,000,000.00	\$ 95,379.60	\$ 67,394.62	\$ 67,394.62
2017	15.8966	\$ 1,760,438.00	\$ 27,984.98	\$ 7,000,000.00	\$ 111,276.20	\$ 83,291.22	\$ 83,291.22
2018	15.8966	\$ 1,760,438.00	\$ 27,984.98	\$ 8,000,000.00	\$ 127,172.80	\$ 99,187.82	\$ 99,187.82
2019	15.8966	\$ 1,760,438.00	\$ 27,984.98	\$ 9,000,000.00	\$ 143,069.40	\$ 115,084.42	\$ 115,084.42
2020	15.8966	\$ 1,760,438.00	\$ 27,984.98	\$ 10,000,000.00	\$ 158,966.00	\$ 130,981.02	\$ 130,981.02
2021	15.8966	\$ 1,760,438.00	\$ 27,984.98	\$ 11,000,000.00	\$ 174,862.60	\$ 146,877.62	\$ 146,877.62
2022	15.8966	\$ 1,760,438.00	\$ 27,984.98	\$ 12,000,000.00	\$ 190,759.20	\$ 162,774.22	\$ 162,774.22
2023	15.8966	\$ 1,760,438.00	\$ 27,984.98	\$ 12,000,000.00	\$ 190,759.20	\$ 162,774.22	\$ 162,774.22
2024	15.8966	\$ 1,760,438.00	\$ 27,984.98	\$ 12,000,000.00	\$ 190,759.20	\$ 162,774.22	\$ 162,774.22
2025	15.8966	\$ 1,760,438.00	\$ 27,984.98	\$ 12,000,000.00	\$ 190,759.20	\$ 162,774.22	\$ 162,774.22
Total			\$ 307,834.77		\$ 1,645,298.10		\$ 1,337,463.33

Excluded Millages:

Special Assessment or Debt Millages As Identified by Oshtemo Township Assessor:

School Debt - 6.95000

KRESA = 4.89160 - 0.35 mills allocated for debt service = 4.5416

County Juvenile Home - 0.233300

Fire = 2.50000

Police 2010 = 1.25000

Lights = 0.30000

School Millages

SET - 6.00000

School Operating - 18.00000

Corridor Improvement Authority Opt-In

Township - 0.97650

County Operating = 4.6871 - Township Match (0.97650 x2 = 1.953) = 2.7341

(g) An estimate of the impact of tax increment financing on the revenues of all taxing jurisdictions in which the eligible property is located. (Section 13(1)(g))

Refer to Tables 3, 4, and 5.

(h) A legal description of each parcel of eligible property to which the plan applies, a map showing the location and dimensions of each eligible property, a statement of the characteristics that qualify the property as eligible property and a statement of whether personal property is included as part of the eligible property. (Section 13(1)(h))

As indicated, the property subject to this Plan historically consisted of forty separate legal parcels. The forty separate parcels will be consolidated into two parcels: “Costco Parcel aka Parcel A” and “The Developer Parcel aka Remainder Parcel”. The legal description and survey of the two new parcels subject to this Plan, as provided by Gesmundo, LLC, is included in Attachment A. A map showing the location and dimension of the property is also included in Attachment A.

On June 10, 2014 The Assessor for Oshtemo Charter Township issued an Affidavit identifying both “Costco Parcel aka Parcel A” and the “Developer Parcel aka Remainder Parcel” as functionally obsolete property as that term is defined under MCL 125.2652(s) based upon the fact that the property is unable to be used to adequately perform the function for which it was intended due to a substantial loss in value resulting from factors such as deterioration and urban decay affected by the surrounding area, including U.S. 131 to the west of Drake Road.

The functional obsolescence of these two parcels makes them each an eligible property for inclusion in this Brownfield Plan.

Personal property will be included as part of the eligible property.

(i) Estimates of the number of persons residing on each eligible property to which the plan applies and the number of families and individuals to be displaced. (Section 13(1)(i))

Not Applicable. The subject property is currently vacant. Over time as individual parcels were acquired by Gesmundo, LLC in support of this redevelopment project, Gesmundo, LLC coordinated with the persons residing on each eligible property to identify alternative housing.

(j) A plan for establishing priority for the relocation of persons displaced by implementation of the plan. (Section 13(1)(j))

Not applicable.

(k) Provision for the costs of relocating persons displaced by implementation of the plan. (Section 13(1)(k))

Not applicable.

(l) A strategy for compliance with 1972 PA 227, MCL 213.321 to 213.332. (Section 13(1)(l))

Not applicable.

(m) A description of proposed use of the local site remediation revolving fund. (Section 13(1)(m))

The KCBRA's Local Site Remediation Revolving Fund (LSRRF) will capture five full years of the tax increment, subject to the total capture allowed by the Plan, after the eligible activities have been reimbursed. Capture for the LSRRF is critical to the maintenance of a sustainable brownfield program for the KCBRA.

(n) Other material that the authority or governing body considers pertinent. (Section 13(1)(n))

Not applicable.

TABLE 3



Table 3

Estimate of Annual Captured Incremental Taxes for Each Affected Taxing Jurisdiction

Commercial Property
 NW Corner - Drake Rd. / Stadium Dr.
 Oshtemo Township, Michigan

Commercial Property - NW Corner Drake Rd. / Stadium Dr. ("Parcel A" + "Remainder Parcel")								
	WINTER						Summer	
Taxing Jurisdiction		KRESA	KVCC	Library - Kalamazoo	County Public Safety	County Transit	County Operating	Total
Millage		4.54160	2.81350	3.95830	1.44910	0.40000	2.7341	15.89660
Initial Taxable Value	\$ 1,760,438.00	\$ 7,995.21	\$ 4,952.99	\$ 6,968.34	\$ 2,551.05	\$ 704.18	\$ 4,813.21	\$ 27,984.98
Future Taxable Value - 2015	\$ 4,500,000.00	\$ 20,437.20	\$ 12,660.75	\$ 17,812.35	\$ 6,520.95	\$ 1,800.00	\$ 12,303.45	\$ 71,534.70
Captured Taxable Value - 2015	\$ 2,739,562.00	\$ 12,441.99	\$ 7,707.76	\$ 10,844.01	\$ 3,969.90	\$ 1,095.82	\$ 7,490.24	\$ 43,549.72
Captured Taxable Value - 2016	\$ 4,239,562.00	\$ 19,254.39	\$ 11,928.01	\$ 16,781.46	\$ 6,143.55	\$ 1,695.82	\$ 11,591.39	\$ 67,394.62
Captured Taxable Value - 2017	\$ 5,239,562.00	\$ 23,795.99	\$ 14,741.51	\$ 20,739.76	\$ 7,592.65	\$ 2,095.82	\$ 14,325.49	\$ 83,291.22
Captured Taxable Value - 2018	\$ 6,239,562.00	\$ 28,337.59	\$ 17,555.01	\$ 24,698.06	\$ 9,041.75	\$ 2,495.82	\$ 17,059.59	\$ 99,187.82
Captured Taxable Value - 2019	\$ 7,239,562.00	\$ 32,879.19	\$ 20,368.51	\$ 28,656.36	\$ 10,490.85	\$ 2,895.82	\$ 19,793.69	\$ 115,084.42
Captured Taxable Value - 2020	\$ 8,239,562.00	\$ 37,420.79	\$ 23,182.01	\$ 32,614.66	\$ 11,939.95	\$ 3,295.82	\$ 22,527.79	\$ 130,981.02
Captured Taxable Value - 2021	\$ 9,239,562.00	\$ 41,962.39	\$ 25,995.51	\$ 36,572.96	\$ 13,389.05	\$ 3,695.82	\$ 25,261.89	\$ 146,877.62
Captured Taxable Value - 2022	\$ 10,239,562.00	\$ 46,503.99	\$ 28,809.01	\$ 40,531.26	\$ 14,838.15	\$ 4,095.82	\$ 27,995.99	\$ 162,774.22
Captured Taxable Value - 2023	\$ 10,239,562.00	\$ 46,503.99	\$ 28,809.01	\$ 40,531.26	\$ 14,838.15	\$ 4,095.82	\$ 27,995.99	\$ 162,774.22
Captured Taxable Value - 2024	\$ 10,239,562.00	\$ 46,503.99	\$ 28,809.01	\$ 40,531.26	\$ 14,838.15	\$ 4,095.82	\$ 27,995.99	\$ 162,774.22
Captured Taxable Value - 2025	\$ 10,239,562.00	\$ 46,503.99	\$ 28,809.01	\$ 40,531.26	\$ 14,838.15	\$ 4,095.82	\$ 27,995.99	\$ 162,774.22

Excluded Millages:

Special Assessment or Debt Millages As Identified by Oshtemo Township Assessor:

School Debt - 6.95000

KRESA = 4.89160 - 0.35 mills allocated for debt service = 4.5416

County Juvenile Home - 0.233300

Fire = 2.50000

Police 2010 = 1.25000

Lights = 0.30000

School Millages

SET - 6.00000

School Operating - 18.00000

Corridor Improvement Authority Opt-In

Township - 0.97650

County Operating = 4.6871 - 1.953 (2 x Township Match) = 2.7341

TABLE 4



Table 4

Captured Taxable Value and Tax Increment Revenue by Year and Aggregate for Each Taxing Jurisdiction

Corner @ Drake Rd. Development
 NW Corner - Drake Rd. / Stadium Dr.
 Oshtemo Township, Michigan

Commercial Property - Corner @ Drake Rd. Development ("Parcel A" + "Remainder Parcel")								
Year	Captured Taxable Value	KRESA	KVCC	Library - Kalamazoo	County Public Safety	County Transit	County Operating	Total
		4.54160	2.81350	3.95830	1.44910	0.40000	2.7341	15.89660
2015	\$ 2,739,562.00	\$ 12,441.99	\$ 7,707.76	\$ 10,844.01	\$ 3,969.90	\$ 1,095.82	\$ 7,490.24	\$ 43,549.72
2016	\$ 4,239,562.00	\$ 19,254.39	\$ 11,928.01	\$ 16,781.46	\$ 6,143.55	\$ 1,695.82	\$ 11,591.39	\$ 67,394.62
2017	\$ 5,239,562.00	\$ 23,795.99	\$ 14,741.51	\$ 20,739.76	\$ 7,592.65	\$ 2,095.82	\$ 14,325.49	\$ 83,291.22
2018	\$ 6,239,562.00	\$ 28,337.59	\$ 17,555.01	\$ 24,698.06	\$ 9,041.75	\$ 2,495.82	\$ 17,059.59	\$ 99,187.82
2019	\$ 7,239,562.00	\$ 32,879.19	\$ 20,368.51	\$ 28,656.36	\$ 10,490.85	\$ 2,895.82	\$ 19,793.69	\$ 115,084.42
2020	\$ 8,239,562.00	\$ 37,420.79	\$ 23,182.01	\$ 32,614.66	\$ 11,939.95	\$ 3,295.82	\$ 22,527.79	\$ 130,981.02
2021	\$ 9,239,562.00	\$ 41,962.39	\$ 25,995.51	\$ 36,572.96	\$ 13,389.05	\$ 3,695.82	\$ 25,261.89	\$ 146,877.62
2022	\$ 10,239,562.00	\$ 46,503.99	\$ 28,809.01	\$ 40,531.26	\$ 14,838.15	\$ 4,095.82	\$ 27,995.99	\$ 162,774.22
2023	\$ 10,239,562.00	\$ 46,503.99	\$ 28,809.01	\$ 40,531.26	\$ 14,838.15	\$ 4,095.82	\$ 27,995.99	\$ 162,774.22
2024	\$ 10,239,562.00	\$ 46,503.99	\$ 28,809.01	\$ 40,531.26	\$ 14,838.15	\$ 4,095.82	\$ 27,995.99	\$ 162,774.22
2025	\$ 10,239,562.00	\$ 46,503.99	\$ 28,809.01	\$ 40,531.26	\$ 14,838.15	\$ 4,095.82	\$ 27,995.99	\$ 162,774.22
CAPTURED TAXES		\$ 382,108.34	\$ 236,714.33	\$ 333,032.29	\$ 121,920.29	\$ 33,654.07	\$ 230,034.00	\$ 1,337,463.33

Excluded Millages:
Special Assessment or Debt Millages As Identified by Oshtemo Township Assessor:
 School Debt - 6.95000
 KRESA = 4.89160 - 0.35 mills allocated for debt service = 4.5416
 County Juvenile Home - 0.233300
 Fire = 2.50000
 Police 2010 = 1.25000
 Lights = 0.30000
School Millages
 Township - 0.97650
Corridor Improvement Authority Opt-In
 Township - 0.97650
 County Operating = 4.6871 - Township Match (0.97650 x2 = 1.953) = 2.7341

TABLE 5



Table 5

Reimbursement Schedule

Corner @ Drake Rd. Development
Oshtemo Township, Michigan

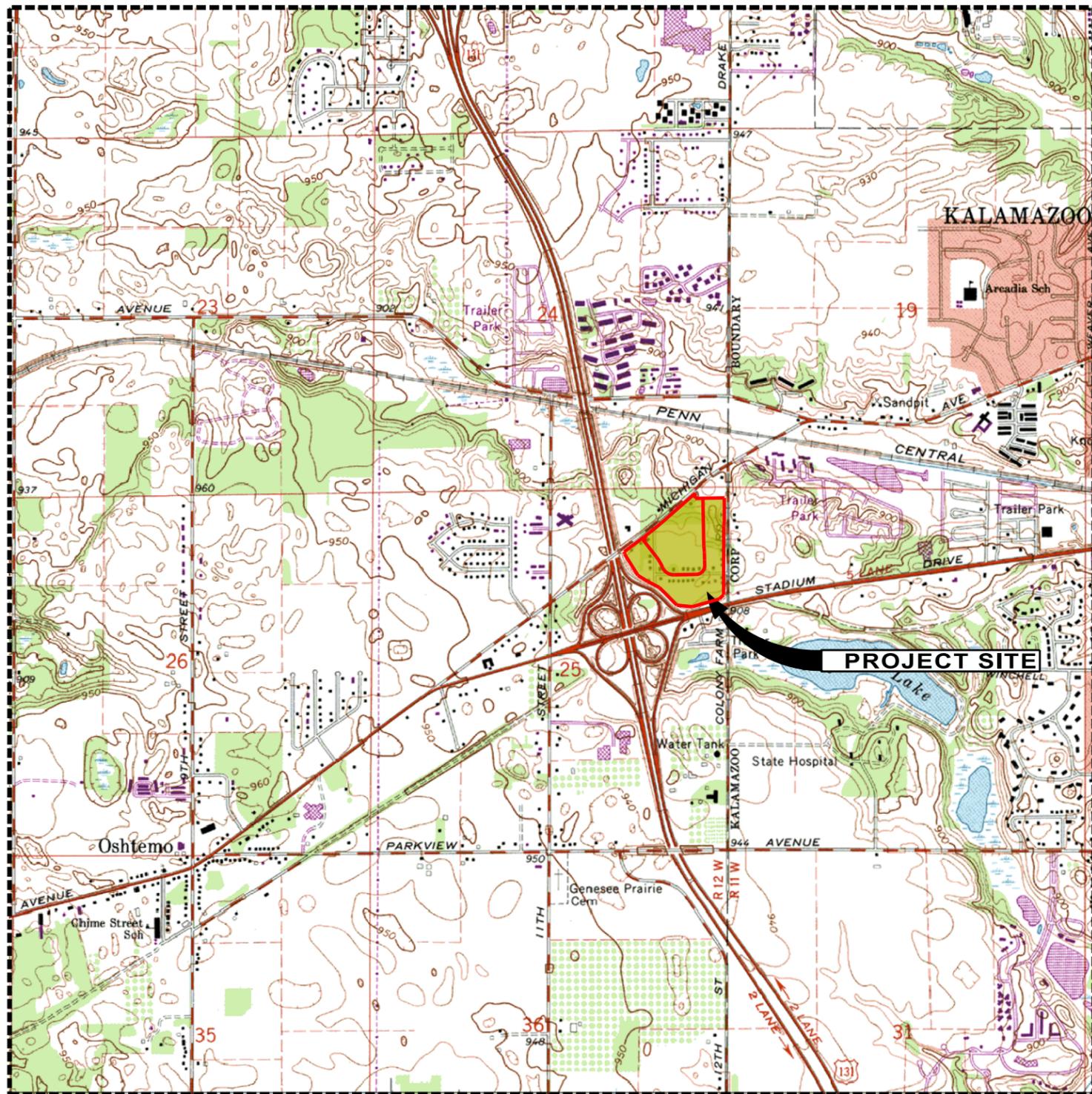
Commercial Property - Corner @ Drake Rd. Development ("Parcel A" + "Remainder Parcel")												
Year	Captured Incremental Taxes	Reimbursement to KCBRA		Reimbursement to Gesmundo, LLC								LSRRF Capture
		Annual	Aggregate	Annual	Aggregate	Eligible Principal	Principal Payment	Remaining Principal	Interest (3%)	Aggregate Interest	Interest Payment	
2015	\$ 43,549.72	\$ 14,000.00	\$ 14,000.00	\$ 29,549.72	\$ 29,549.72	\$ 347,886.23	\$ 29,549.72	\$ 318,336.50	\$ 9,550.10	\$ 9,550.10		
2016	\$ 67,394.62	\$ 10,000.00	\$ 24,000.00	\$ 57,394.62	\$ 86,944.34	\$ 318,336.50	\$ 57,394.62	\$ 260,941.88	\$ 7,828.26	\$ 17,378.35		
2017	\$ 83,291.22	\$ 10,000.00	\$ 34,000.00	\$ 73,291.22	\$ 160,235.56	\$ 260,941.88	\$ 73,291.22	\$ 187,650.66	\$ 5,629.52	\$ 23,007.87		
2018	\$ 99,187.82	\$ 10,000.00	\$ 44,000.00	\$ 89,187.82	\$ 249,423.39	\$ 187,650.66	\$ 89,187.82	\$ 98,462.84	\$ 2,953.89	\$ 25,961.76		
2019	\$ 115,084.42	\$ 10,000.00	\$ 54,000.00	\$ 105,084.42	\$ 354,507.81	\$ 98,462.84	\$ 98,462.84	\$ -	\$ -		\$ 6,621.58	
2020	\$ 130,981.02	\$ 10,000.00	\$ 64,000.00	\$ 19,340.18	\$ 373,847.98	\$ -			\$ -		\$ 19,340.18	\$ 101,640.85
2021	\$ 146,877.62	\$ 10,000.00	\$ 74,000.00									\$ 136,877.62
2022	\$ 162,774.22	\$ 10,000.00	\$ 84,000.00									\$ 152,774.22
2023	\$ 162,774.22	\$ 10,000.00	\$ 94,000.00									\$ 152,774.22
2024	\$ 162,774.22	\$ 10,000.00	\$ 104,000.00									\$ 152,774.22
2025	\$ 162,774.22	\$ 10,000.00	\$ 114,000.00									\$ 152,774.22
Totals	\$ 1,337,463.33		114,000.00		373,847.98		347,886.23				25,961.76	\$ 849,615.35

ATTACHMENT A

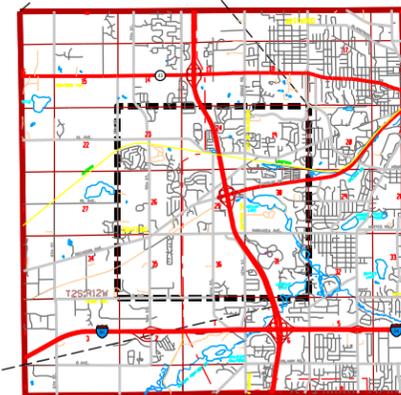
FIGURES

**Location Map: USGS Topographic Map
“Costco Parcel aka Parcel A” and “Developer Parcel aka Remainder Parcel” Legal Description
and Survey**



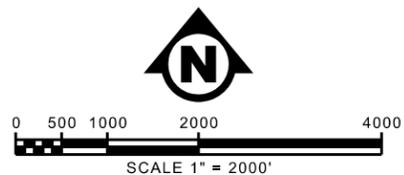


SOURCE: KALAMAZOO SW, MICHIGAN USGS 7.5 MINUTE TOPOGRAPHIC QUADRANGLE MAPS
 MAPTECH® U.S. TERRAIN SERIES™ ©MAPTECH®, INC. 606-433-8500



T 2 S. R. 12 W.
 OSHTEMO TOWNSHIP
 KALAMAZOO, MICHIGAN

000000.AAAAAA File:AA.dgn Modlet:Location Map



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 environmental consulting + services
 2960 INTERSTATE PARKWAY
 KALAMAZOO, MICHIGAN 49048
 PH: (269) 342-1100 FAX: (269) 342-4945

**CORNER @ DRAKE RD
 DEVELOPMENT**
 NW CORNER - DRAKE RD/ STADIUM DR.
 OSHTEMO TOWNSHIP
LOCATION MAP

PROJECT NO.
 140154

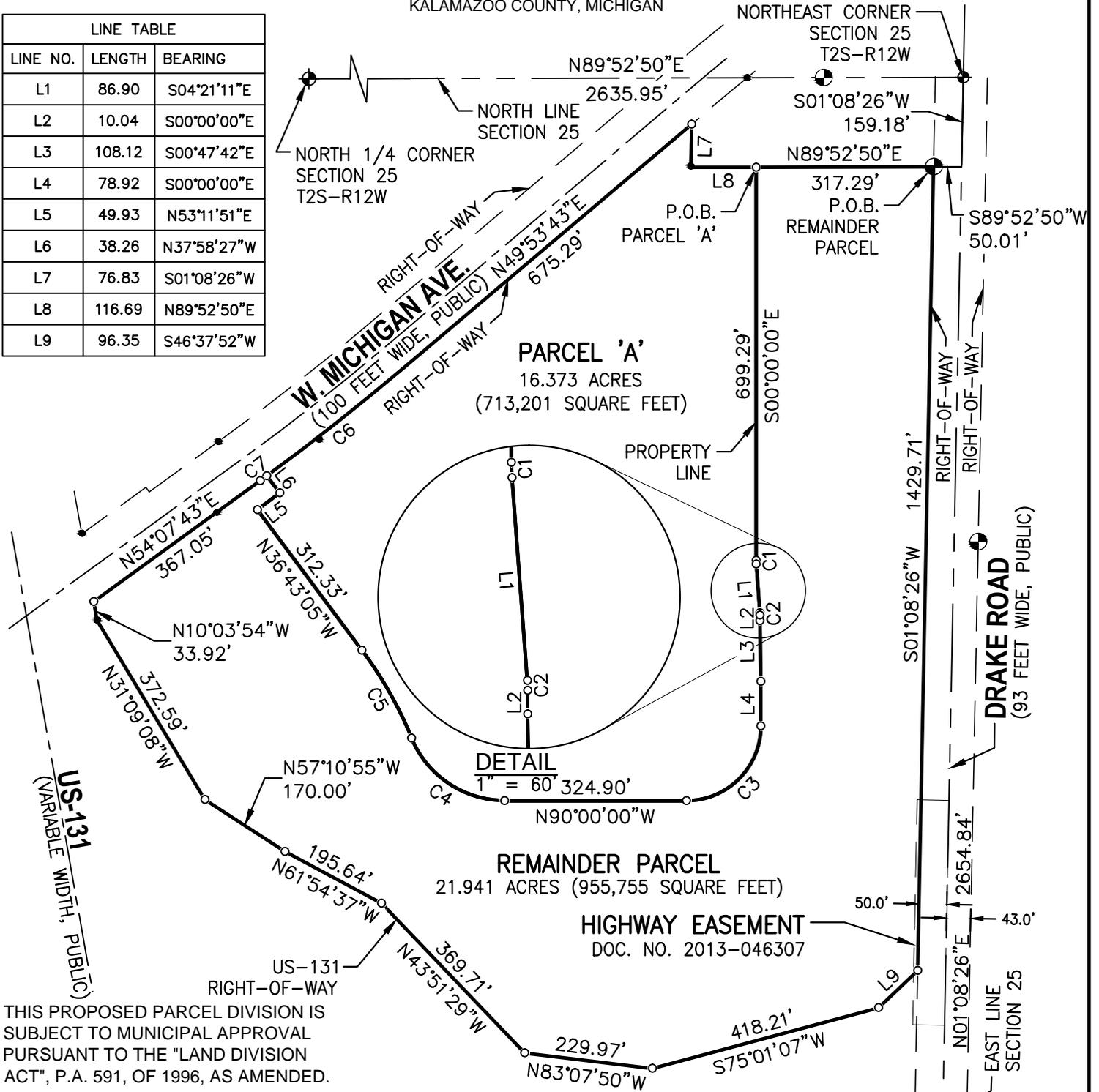
FIGURE No.

1

CERTIFICATE OF SURVEY

SECTION 25, TOWN 2 SOUTH, RANGE 12 WEST, OSHTEMO TOWNSHIP,
KALAMAZOO COUNTY, MICHIGAN

LINE TABLE		
LINE NO.	LENGTH	BEARING
L1	86.90	S04°21'11"E
L2	10.04	S00°00'00"E
L3	108.12	S00°47'42"E
L4	78.92	S00°00'00"E
L5	49.93	N53°11'51"E
L6	38.26	N37°58'27"W
L7	76.83	S01°08'26"W
L8	116.69	N89°52'50"E
L9	96.35	S46°37'52"W



THIS PROPOSED PARCEL DIVISION IS SUBJECT TO MUNICIPAL APPROVAL PURSUANT TO THE "LAND DIVISION ACT", P.A. 591, OF 1996, AS AMENDED.

CURVE TABLE					
CURVE NO.	LENGTH	RADIUS	CENTRAL ANGLE	CHORD BEARING	CHORD LENGTH
C1	6.46	85.00	004°21'11"	S02°10'35"E	6.46
C2	4.18	55.00	004°21'11"	S02°10'35"E	4.18
C3	208.92	133.00	090°00'00"	S45°00'00"W	188.09
C4	212.22	180.00	067°33'08"	N56°13'26"W	200.14
C5	179.95	722.50	014°16'14"	N29°34'59"W	179.49
C6	308.78	4375.00	004°02'38"	N51°55'02"E	308.71
C7	14.47	4375.00	000°11'22"	N54°02'02"E	14.47

I, the undersigned, being a Professional Land Surveyor, hereby certify that I have surveyed and mapped the above parcel of land, that the ratio of closure of the unadjusted field observations is noted, and within limits and that I have fully complied with the regulations of Act 132, P.A. 1970 as amended.

The basis for bearings is: Michigan State Plane Coordinate System, NAD 83, South Zone

Error of Closure is smaller than 1/20000

P.S. No. 42063

Matthew T. Mokanyk, P.S., P.E.

Client:

GESMUNDO, LLC
4200 WEST CENTRE AVE.
PORTAGE, MI 49024

Sheet 1 of 2

Job: 1344409
Date: 02/19/14
Scale: AS NOTED
Drawn: JWU
Chk'd.: MTM
Rev'd.: 04/07/14



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CERTIFICATE OF SURVEY

SECTION 25, TOWN 2 SOUTH, RANGE 12 WEST, OSHTEMO TOWNSHIP,
KALAMAZOO COUNTY, MICHIGAN

Parcel 'A' Description

Part of the Northeast 1/4 of Section 25, Town 2 South, Range 12 West, Oshtemo Township, Kalamazoo County, Michigan, described as: Commencing at the Northeast corner of said Section 25; thence South 01°08'26" West along the East line of said section a distance of 159.18 feet; thence South 89°52'50" West a distance of 50.01 feet to the westerly right-of-way of Drake Road (100 feet wide, public); thence continuing South 89°52'50" West a distance of 317.29 feet to the POINT OF BEGINNING; thence South 00°00'00" East a distance of 699.29 feet; thence Southeasterly 6.46 along a curve to the left, said curve having a radius of 85.00 feet; central angle of 4°21'11", and long chord bearing South 02°10'35" East 6.46 feet; thence South 04°21'11" East a distance of 86.90 feet; thence Southeasterly 4.18 feet along a curve to the right, said curve having a radius of 55.00 feet; central angle of 4°21'11", and long chord bearing South 02°10'35" East 4.18 feet; thence South 00°00'00" East a distance of 10.04 feet; thence South 00°47'42" East a distance of 108.12 feet; thence South 00°00'00" East a distance of 78.92 feet; thence Southwesterly 208.92 feet along a curve to the right, said curve having a radius of 133.00 feet, central angle of 90°00'00" and long chord bearing South 45°00'00" West 188.09 feet; thence North 90°00'00" West a distance of 324.90 feet; thence Northwesterly 212.22 feet along a curve to the right, said curve having a radius of 180.00 feet, central angle of 67°33'08", and long chord bearing North 56°13'26" West 200.14 feet; thence Northeasterly 179.95 feet along a curve to the left, said curve having a radius of 722.50 feet, central angle of 14°16'14", and long chord bearing North 29°34'59" West 179.49 feet; thence North 36°43'05" West a distance of 312.33; thence North 53°11'51" East a distance of 49.93 feet; thence North 37°58'27" West a distance of 38.26 feet to the Southerly right-of-way of Michigan Avenue (100 feet wide, public); thence Northeasterly 308.78 feet along said right-of-way and a curve to the left, said curve having a radius of 4375.00 feet, central angle of 4°02'38", and long chord bearing North 51°55'02" East 308.71 feet; thence North 49°53'43" East along said right-of-way a distance of 675.29 feet; thence South 01°08'26" West a distance of 76.83 feet; thence North 89°52'50" East a distance of 116.69 feet to the POINT OF BEGINNING. Containing 16.373 acres or 713,201 square feet. Subject to easements, rights-of-way, and restrictions of record, if any.

Remainder Parcel Description

Part of the Northeast 1/4 of Section 25, Town 2 South, Range 12 West, Oshtemo Township, Kalamazoo County, Michigan, described as: Commencing at the Northeast corner of said Section 25; thence South 01°08'26" West along the East line of said section a distance of 159.18 feet; thence South 89°52'50" West a distance of 50.01 feet to the westerly right-of-way of Drake Road (100 feet wide, public) and the POINT OF BEGINNING; thence South 01°08'26" West along the Westerly right-of-way of Drake Road a distance of 1429.71 feet to the Northerly right-of-way of Stadium Drive (I-94 Business Loop, variable width, public); thence South 46°37'52" West (recorded as South 45°46'06" West) along the Northerly right-of-way of Stadium Drive a distance of 96.35 feet; thence South 75°01'07" West (recorded as South 74°09'21") along said right-of-way a distance of 418.21 feet (measured and recorded) to the Northerly right-of-way of US-131 (variable width, public); thence along the Northerly right-of-way of US-131 the following six (6) courses: North 83°07'50" West (recorded as North 83°59'36" West) a distance of 229.97 feet (measured and recorded); thence North 43°51'29" West a distance of 369.71 feet (recorded as North 44°20'45" West 370.4 feet); thence North 61°54'37" West (recorded as North 62°45'29" West) a distance of 195.64 feet (measured and recorded); thence North 57°10'55" West a distance of 170.00 feet (recorded as South 58°01'47" East 170.16 feet); thence North 31°09'08" West (recorded as South 32°00'00" East) a distance of 372.59 feet (measured and recorded); thence North 10°03'54" West a distance of 33.92 feet to the Southerly right-of-way of Michigan Avenue (100 feet wide, public); thence North 54°07'43" East along said right-of-way a distance of 367.05 feet; thence northeasterly 14.47 feet along said right-of-way and a curve to the left, said curve having a radius of 4375.00 feet, central angle of 0°11'22", and long chord bearing North 54°02'02" East 14.47 feet; thence South 37°58'27" East a distance of 38.26 feet; thence South 53°11'51" West a distance of 49.93 feet; thence South 36°43'05" East a distance of 312.33 feet; thence Southeasterly 179.95 feet along a curve to the right, said curve having a radius of 722.50 feet, central angle of 14°16'14", and long chord bearing South 29°34'59" East 179.49 feet; thence Southeasterly 212.22 feet along a curve to the left, said curve having a radius of 180.00 feet, central angle of 67°33'08", and long chord bearing South 56°13'26" East 200.14 feet; thence South 90°00'00" East a distance of 324.90 feet; thence Northeasterly 208.92 feet along a curve to the left, said curve having a radius of 133.00 feet, central angle of 90°00'00" and long chord bearing North 45°00'00" East 188.09 feet; thence North 00°00'00" West a distance of 78.92 feet; thence North 00°47'42" West a distance of 108.12 feet; thence North 00°00'00" West a distance of 10.04 feet; thence Northwesterly 4.18 feet along a curve to the left, said curve having a radius of 55.00 feet; central angle of 4°21'11", and long chord bearing North 02°10'35" West 4.18 feet; thence North 04°21'11" West a distance of 86.90 feet; thence Northwesterly 6.46 along a curve to the left, said curve having a radius of 85.00 feet; central angle of 4°21'11", and long chord bearing North 02°10'35" West 6.46 feet; thence North 00°00'00" West a distance of 699.29 feet; thence North 89°52'50" East a distance of 317.29 feet to the POINT OF BEGINNING. Containing 21.941 acres or 955,755 square feet. Subject to easements, rights-of-way, and restrictions of record, if any.

SECTION CORNER WITNESSES:

NE COR. SEC. 25, T2S, R12W
FOUND HARRISON MONUMENT
N45°E 43.30' TO CAPPED REBAR IN CURB
S44°E 35.95' TO CAPPED REBAR IN CURB
S58°W 40.77' TO NAIL IN N. SIDE OF PP
N88°W 50.03' TO CONC. PLAT MONUMENT

E 1/4 COR. SEC. 25, T2S, R12W
FOUND HARRISON MONUMENT
N44°E 37.18' TO CAPPED REBAR IN CURB
S40°E 37.38' TO CAPPED REBAR IN CURB
N89°W 39.47' TO CAPPED REBAR IN CURB
N30°W 77.05' TO NE CORNER OF BRIDGE GUARD RAIL

N 1/4 COR. SEC. 25, T2S, R12W
FOUND HARRISON MONUMENT
N40°E 50.80' TO NAIL W/TAG IN 19" OAK
S45°E 61.15' TO NAIL IN E SIDE OF PP
S42°W 40.18' TO NAIL W/TAG IN 24" OAK
WEST 50.13' TO CONC. MONUMENT

Client:

GESMUNDO, LLC
4200 WEST CENTRE AVE.
PORTAGE, MI 49024

Sheet 2 of 2

Job: 1344409
Date: 02/19/14
Scale: AS NOTED
Drawn: JWU
Chk'd.: MTM
Rev'd.: 04/07/14



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ATTACHMENT B
NOTICE OF PUBLIC HEARING





County Clerk & Register of Deeds

201 West Kalamazoo Avenue • Kalamazoo, Michigan 49007

Phone: (269) 383-8840 • Fax: (269) 384-8143 • Email: tasnow@kalcounty.com

Timothy A. Snow, CMC, County Clerk & Register of Deeds

Janice I. Shattuck, Chief Deputy County Clerk & Register of Deeds

NOTICE OF PUBLIC HEARING

THE BROWNFIELD REDEVELOPMENT AUTHORITY OF KALAMAZOO COUNTY

REGARDING INCLUSION INTO THE COUNTY'S BROWNFIELD PLAN OF THE COMMERCIAL PROPERTY SITE LOCATED AT THE NW CORNER – STADIUM DRIVE & DRAKE ROAD, OSSTEMO TOWNSHP, IN THE COUNTY OF KALAMAZOO, MICHIGAN

TO ALL INTERESTED PERSONS IN THE COUNTY OF KALAMAZOO

PLEASE TAKE NOTICE that the County Commissioners of the County of Kalamazoo, Michigan, will hold a Public Hearing on Tuesday, the 18th day of November 2014, at approximately 7:00 p.m., Eastern Standard Time in the Commissioners Chambers within the County Building, 201 West Kalamazoo Avenue, Kalamazoo, Michigan, to receive public comment on a County Brownfield Plan located at the NW Corner of the intersection of Stadium Drive and Drake Road, Oshtemo Township, Michigan. The following legal parcels are included in the "eligible property":

Parcel ID#
3905-25-240-001;
3905-25-240-101

The property consists of two parcels of land occupying approximately 39 acres, more or less and is commonly described as commercial property at the northwest corner of the intersection of Stadium Drive and Drake Road, Oshtemo Township, Michigan. The property historically consisted of forty separate legal parcels that have been consolidated into the two legal parcels detailed above.

The Brownfield Plan, which includes a site map and legal descriptions of the parcel, is available for public inspection at the County Brownfield Redevelopment Authority office, located at 201 West Kalamazoo Avenue, Kalamazoo, Michigan 49007. All aspects of the plan are open for discussion at the public hearing.

FURTHER INFORMATION may be obtained from the Brownfield Redevelopment Authority of Kalamazoo County at (269) 384-8112. THIS NOTICE is given by order of the County Board of Commissioners of the County of Kalamazoo, Michigan.

Dated: November 7, 2014

Timothy A. Snow, CMC, CCO
Kalamazoo County Clerk & Register of Deeds

ATTACHMENT C
NOTICE TO TAXING JURISDICTIONS





County Clerk & Register of Deeds

201 West Kalamazoo Avenue • Kalamazoo, Michigan 49007

Phone: (269) 383-8840 • Fax: (269) 384-8143 • Email: tasnow@kalcounty.com

Timothy A. Snow, CMC, County Clerk & Register of Deeds

Janice I. Shattuck, Chief Deputy County Clerk & Register of Deeds

NOTICE TO ALL TAXING JURISDICTIONS

The Kalamazoo County Board of Commissioners proposes to approve a Brownfield Plan for the Commercial Property located at the northwest corner of the intersection of Stadium Drive and Drake Road, Oshtemo Township, Michigan.

The County of Kalamazoo has established a Brownfield Redevelopment Authority (the "Authority") in accordance with the Brownfield Redevelopment Act, Act No. 381 of the Michigan Public Acts of 1996, as amended (the "Act").

The Act was enacted to provide a means for local units of government to facilitate the revitalization of environmentally distressed (and/or functionally obsolete or blighted) areas. The Authority Board has prepared and adopted a Brownfield Plan related to the redevelopment of vacant property located at the northwest corner of the intersection of Stadium Drive and Drake Road, Oshtemo Township, Michigan. The anticipated future use of the property is commercial. The property has been identified as functionally obsolete by the Oshtemo Township Assessor. This document serves to notify local taxing units of the intent to approve a Brownfield Plan for the noted property.

The Act permits the use of the tax increment financing in order to provide the Authority with the means of financing the redevelopment projects included in the Brownfield Plan. Tax increment financing allows the Authority to capture tax revenues attributable to increases in the taxable value of real and personal property located on the "eligible property", which may include certain adjacent or contiguous parcels. Increases in taxable value may be attributable to various factors, including new construction, rehabilitation, remodeling, alterations, additions, and the installation of personal property on the eligible site.

The plan will be considered for adoption at the November 18th, 2014 meeting of the Kalamazoo County Board of Commissioners held at 7:00 p.m. in the Kalamazoo County Building – 201 West Kalamazoo Avenue, Kalamazoo, Michigan. If you have any questions or comments concerning the Brownfield Redevelopment Authority or adoption of the Plan you may attend the meeting and express those concerns during the public comment period. You may also direct inquiries to Ms. Lotta Jarnefelt of the Kalamazoo County Department of Planning and Community Development (269) 384-8112.

Dated: November 7, 2014

Timothy A. Snow, CMC, CCO

Kalamazoo County Clerk & Register of Deeds

I do hereby certify that on November 7, 2014, the attached letter regarding the Brownfield Plan for the Commercial Property Site located at the NW corner – Stadium Drive & Drake Road, Oshtemo Township, was sent by mail to the taxing jurisdictions listed below:

Kalamazoo County Board of Commissioners
201 W. Kalamazoo Avenue
Kalamazoo, MI 49007

Kalamazoo Regional Educational Service Agency
1819 E. Milham Avenue
Portage, MI 49002

Kalamazoo County Sheriff's Office
1500 Lamont Avenue
Kalamazoo, MI 49048

Kalamazoo Valley Community College
6767 West O Avenue
P.O. Box 4070
Kalamazoo, MI 49003-4070

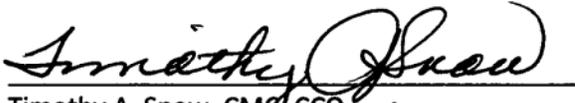
Kalamazoo County Transportation Authority
530 N. Rose Street
Kalamazoo, MI 49007

Kalamazoo Public Schools
1220 Howard Street
Kalamazoo, MI 49008

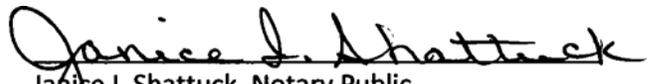
Oshtemo Charter Township
7275 W. Main Street
Kalamazoo, MI 49009

Kalamazoo Public Library
315 South Rose Street
Kalamazoo, MI 49007

Michigan Department of Treasury
Austin Building
430 W. Allegan Street
Lansing, MI 48922


Timothy A. Snow, CME, CCO
Kalamazoo County Clerk & Register of Deeds

Acknowledged before me this 7th day of November, 2014.


Janice I. Shattuck, Notary Public
St. Joseph County, Michigan
Acting in Kalamazoo County, Michigan
My Commission Expires: 09/26/2020

ATTACHMENT D

OSHTEMO TOWNSHIP FUNCTIONAL OBSOLESCE DOCUMENTATION



AFFIDAVIT OF CATHY HARRELL

STATE OF MICHIGAN)
 : ss
COUNTY OF KALAMAZOO)

I, CATHY HARRELL, being duly sworn, states that if called upon will testify to the following facts:

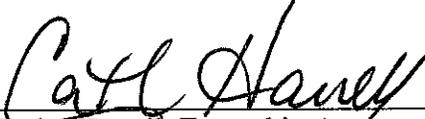
1. I am employed by Oshtemo Charter Township as the Township Assessor, and have held that position for approximately 12 years.
2. I am a certified Michigan Advanced Assessing Officer.
3. I am familiar with the properties designated as Parcel “A,” Right-of-Way Parcel “1,” Right-of-Way Parcel “2,” and Remainder Parcel, located at the corner of Drake Road and Stadium Drive, Oshtemo Township, Kalamazoo County, Michigan, 7275 West Main Street, Kalamazoo Michigan.
4. This affidavit is given in accordance with MCL 125.2663(1) (h) and is made to confirm this property qualifies as ‘Functionally Obsolete Property’ as that term is defined under MCL 125.2652(s). The following facts, without limitation, form the basis for my expert opinion:

The property is unable to be used to adequately perform the function for which it was intended due to a substantial loss in value resulting from factors such as deterioration and urban decay affected by the surrounding area, including U.S. 131 to the west

of Drake Road on the east of Stadium Drive to the south, making the property functionally obsolete for its original purpose – Residential, resulting in condemnation and demolition of the residential properties.

5. Further Affiant saith not.

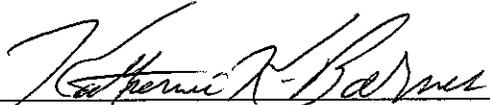
Dated: June 10, 2014



Cathy Harrell, Township Assessor
Oshtemo Charter Township

STATE OF MICHIGAN)
)
) :ss
COUNTY OF KALAMAZOO)

Subscribed and sworn to before me this 10th day of June, 2014.



Katherine K. Barnes, Notary Public
Kalamazoo County, Michigan
Acting in Kalamazoo County, Michigan
My commission expires: 03/11/2020

ATTACHMENT E

RESOLUTION SUPPORTING A BROWNFIELD PLAN – OSHTEMO TOWNSHIP

RESOLUTION APPROVING A BROWNFIELD PLAN – KALAMAZOO COUNTY



CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN

**RESOLUTION IN SUPPORT OF BROWNFIELD PLAN PURSUANT TO AND
IN ACCORDANCE WITH THE PROVISIONS OF ACT 381 OF THE PUBLIC ACTS
OF THE STATE OF MICHIGAN OF 1996, AS AMENDED**

October 14, 2014

At a regular meeting of the Oshtemo Township Board, held in the Township Hall, located at 7275 West Main Street, Oshtemo Township, Michigan, on the 14th day of October, 2014, at 7 p.m.

PRESENT: Elizabeth Heiny-Cogswell, Deborah Everett, Nancy Culp,
Dave Bushouse, Dusty Farmer, Lee Larson and Nancy Carr

ABSENT: None

MOTION TO ADOPT BY: Elizabeth Heiny-Cogswell

SUPPORTED BY: Nancy Culp

WHEREAS, the Township Board of Oshtemo, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), have formally resolved to participate in the Brownfield Redevelopment Authority (BRA) of Kalamazoo County (the "Authority") and have designated that all related activities shall proceed through the BRA; and

WHEREAS, the Authority, pursuant to and in accordance with Section 13 of the Act, has reviewed, adopted and recommended for approval by the Oshtemo Township Board, the Brownfield Plan (the "Plan") attached hereto, to be carried out within the Township, relating to the redevelopment of the commercial property located at the northwest corner of Drake Road and Stadium Drive, Oshtemo Township, Michigan, (the "Site"), as more particularly described and shown in Figures 1 & 2 ad Attachment "A" contained within the attached Plan; and

WHEREAS, the Township Board of Oshtemo Charter Township has reviewed the Plan, and has been provided a reasonable opportunity to express its views and recommendations regarding the Plan and in accordance with Sections 13(13) of the Act; and

WHEREAS, as a result of its review of the Plan, the Oshtemo Charter Township Board concurs with approval of the Plan.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. **Plan Support.** Pursuant to the authority vested in the Township Board of Oshtemo, by the Act, the Plan is hereby supported, provided the Plan is amended to provide a cap limiting total funds captured by the Authority to \$1,337,463.00.

2. **Severability.** Should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.

3. **Repeals.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

AYES: Elizabeth Heiny-Cogswell, Deborah Everett, Nancy Culp,
Dave Bushouse, Dusty Farmer, Lee Larson and Nancy Carr

NAYS: None

ABSTAINED: None

RESOLUTION DECLARED ADOPTED BY OSHTEMO CHARTER TOWNSHIP SUPERVISOR.



DEBORAH L. EVERETT, Clerk
Oshtemo Charter Township

KALAMAZOO COUNTY, MICHIGAN

**RESOLUTION APPROVING A BROWNFIELD PLAN
BY THE COUNTY OF KALAMAZOO
PURSUANT TO AND IN ACCORDANCE WITH
THE PROVISIONS OF ACT 381 OF THE PUBLIC ACTS
OF THE STATE OF MICHIGAN OF 1996, AS AMENDED**

At a regular meeting of the Board of Commissioners of Kalamazoo County, Michigan, held in the Board of Commissioners Room, County Administration Building located at 201 W. Kalamazoo Avenue, Kalamazoo, Michigan, on the 18th day of November, 2014 at 7 p.m.

PRESENT: Carolyn Alford, Jeff Heppler, Brandt Iden, Dave Buskirk,
Dave Matureri, Mike Seals

ABSENT: John Taylor, Roger Twinter, Phil Stinchcomb, John Zull

MOTION BY: Commissioner Alford

SUPPORTED BY: Commissioner Seals

WHEREAS, the Kalamazoo County Board of Commissioners, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), have formally resolved to participate in the Brownfield Redevelopment Authority (BRA) of Kalamazoo County (the "Authority") and have designated that all related activities shall proceed through the BRA; and

WHEREAS, the Authority, pursuant to and in accordance with Section 13 of the Act, has reviewed, adopted and recommended for approval by the Kalamazoo County Board of Commissioners, the Brownfield plan (the "Plan") attached hereto, to be carried out within Osthemo Township, relating to the redevelopment project on the commercial property located at the northwest corner of the intersection of Drake Rd. and Stadium Dr., Michigan, (the "Site"), as more particularly described and shown in Figure 1 and Attachment "A" contained within the attached Plan; and

WHEREAS, the Kalamazoo County Board of Commissioners have reviewed the Plan, and have been provided a reasonable opportunity to express their views and recommendations regarding the Plan and in accordance with Sections 13(13) of the Act; and

WHEREAS, the Kalamazoo County Board of Commissioners have noticed and held a public hearing in accordance with Section 13(10,11,12 and 13) of the Act, and

WHEREAS, Osthemo Township has passed a resolution supporting adoption of the Plan;

WHEREAS, the Kalamazoo County Board of Commissioners have made the following determinations and findings:

- A. The Plan constitutes a public purpose under the Act;
- B. The Plan meets all of the requirements for a Brownfield plan set forth in Section 13 of the Act;
- C. The proposed method of financing the costs of the eligible activities, as described in the Plan, was feasible and the Authority has the ability to arrange the financing;
- D. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act;
- E. School taxes will not be captured in accordance with the Plan; and

WHEREAS, as a result of its review of the Plan, the Kalamazoo County Board of Commissioners concur with approval of the Plan.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. **Plan Approved.** Pursuant to the authority vested in the Kalamazoo County Board of Commissioners, by the Act, the Plan is hereby approved in the form attached to this Resolution.
- 2. **Severability.** Should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
- 3. **Repeals.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

AYES: All present

NAYES: None

ABSTAINED: None

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
COUNTY OF KALAMAZOO) ss:

I, the undersigned, the fully qualified Clerk of Kalamazoo County, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the County Board of Commissioners of Kalamazoo County at a regular meeting held on the 18th day of November, 2014, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my official signature this 18th day of November, 2014.



Handwritten signature of Timothy A. Snow in cursive script, written over a horizontal line.

Timothy A. Snow, Kalamazoo County Clerk