

GENOA CHARTER TOWNSHIP BOARD

Regular Meeting

June 16, 2014

6:30 p.m.

AGENDA

Call to Order:

Pledge of Allegiance:

Call to the Public*:

Approval of Consent Agenda:

1. Payment of Bills.
2. Request to Approve Minutes: June 2, 2014
3. Request for approval of a permit for a fireworks display on Lake Chemung on July 4, 2014 as requested by Kurt Price and Joe Cybart of Phoenix Fireworks.
4. Request for approval of a permit for a fireworks display on Big Crooked Lake on July 1, 2014 as requested by Pepper Bergin and Jordan Kwaitkowski of ABC Display Fireworks.

Approval of Regular Agenda:

5. Request for approval of a PUD agreement with Howell Public Schools for the Latson Elementary School property.
6. Request for approval of the Environment Impact Assessment for an 8,000-square-foot medical building on Grand River between Hubert and Grand Beach.
 - A. Disposition of Environmental Impact Assessment (dated 05-21-14)
7. Request to adopt utility specific changes to the Genoa Township Employee Handbook as requested by Utility Director Greg Tatara.
8. Request for a Bond Authorizing Resolution for the consolidation of the Oak Pointe Wastewater Treatment Plant (WWTP) to the Genoa-Oceola WWTP as requested by Utility Director Greg Tatara and Utility Engineer Tesha Humphriss.
9. Request for approval of two proposals from Concrete Construction for the installation of sidewalk: \$122,802.67 on Grand River from Latson to Sunrise Park and \$27,752.83 from Grand Oaks to 3600 East Grand River.

Correspondence
Member Discussion
Adjournment

***Citizen's Comments-** In addition to providing the public with an opportunity to address the Township Board at the beginning of the meeting, opportunity to comment on individual agenda items may be offered by the Chairman as they are presented.

CHECK REGISTERS FOR TOWNSHIP BOARD MEETING

DATE: June 16, 2014

| | |
|---|---------------------|
| TOWNSHIP GENERAL EXPENSES: Thru June 16, 2014 | \$177,265.60 |
| June 6, 2014 Bi Weekly Payroll | \$77,075.74 |
| OPERATING EXPENSES: Thru June 16, 2014 | <u>\$325,600.32</u> |
| TOTAL: | \$579,941.66 |

| <u>Check Number</u> | <u>Vendor No</u> | <u>Vendor Name</u> | <u>Check Date</u> | <u>Check Amount</u> |
|---------------------|------------------|--------------------------------|-------------------|---------------------|
| 30655 | AT&T Fax | AT&T | 05/28/2014 | 98.19 |
| 30656 | COMCAST | Comcast | 05/28/2014 | 130.70 |
| 30657 | CONTINEN | Continental Linen Service | 05/28/2014 | 102.15 |
| 30658 | DTE EN | DTE Energy | 05/28/2014 | 138.20 |
| 30659 | KERNE | Erik Kern | 05/28/2014 | 50.00 |
| 30660 | TRI COUN | Tri County Supply, Inc. | 05/28/2014 | 487.49 |
| 30661 | USBANK | U. S. Bank Equipment Finance | 05/28/2014 | 75.00 |
| 30662 | Clearwat | Clearwater Systems | 05/30/2014 | 52.00 |
| 30663 | Mancuso | Mancuso & Cameron, P.C. | 05/30/2014 | 320.00 |
| 30664 | Northern | Northern Plumbing, Inc. | 05/30/2014 | 345.00 |
| 30665 | OCEOLAMU | Oceola Multi LLC | 05/30/2014 | 4,232.00 |
| 30666 | OEX | Office Express Inc. | 05/30/2014 | 163.47 |
| 30667 | USBANK | U. S. Bank Equipment Finance | 05/30/2014 | 1,034.94 |
| 30668 | BUS IMAG | Business Imaging Group | 06/05/2014 | 365.71 |
| 30669 | DTE LAKE | DTE Energy | 06/05/2014 | 921.31 |
| 30670 | Duncan | Duncan Disposal Systems | 06/05/2014 | 76,900.60 |
| 30671 | HowellPa | Howell Area Parks & Recreation | 06/05/2014 | 25,000.00 |
| 30672 | JINGLEHE | J.J. Jinkleheimer | 06/05/2014 | 113.27 |
| 30673 | LAKESIDE | Lakeside Service Company, Inc. | 06/05/2014 | 1,766.70 |
| 30674 | Lehto | Neil J. Lehto | 06/05/2014 | 67.50 |
| 30675 | LivCTrea | Livingston County Treasurer | 06/05/2014 | 2,179.15 |
| 30676 | Mancuso | Mancuso & Cameron, P.C. | 06/05/2014 | 3,033.25 |
| 30677 | MASTER M | Master Media Supply | 06/05/2014 | 498.89 |
| 30678 | Perfect | Perfect Maintenance Cleaning | 06/05/2014 | 3,190.00 |
| 30679 | LIVCTYAS | Livingston Cty Assessor's Assn | 06/05/2014 | 30.00 |
| 30680 | WEX | WEX Bank | 06/05/2014 | 80.98 |
| 30681 | REICH | Martin Reich | 06/10/2014 | 7,000.00 |
| 30682 | AMER IMA | Applied Imaging | 06/10/2014 | 859.14 |
| 30683 | AmerAqua | American Aqua | 06/10/2014 | 103.80 |
| 30684 | BLUE CRO | Blue Cross & Blue Shield Of Mi | 06/10/2014 | 24,299.84 |
| 30685 | BUS IMAG | Business Imaging Group | 06/10/2014 | 773.89 |
| 30686 | Clearwat | Clearwater Systems | 06/10/2014 | 39.00 |
| 30687 | COMC | Comcast | 06/10/2014 | 324.42 |
| 30688 | CONSUMER | Consumers Energy | 06/10/2014 | 52.11 |
| 30689 | COOPERST | Cooper's Turf Management LLC | 06/10/2014 | 1,340.00 |
| 30690 | ENVSYSRE | ESRI, INC. | 06/10/2014 | 5,180.82 |
| 30691 | GORDONFO | Gordon's Food Services | 06/10/2014 | 146.89 |
| 30692 | Mancuso | Mancuso & Cameron, P.C. | 06/10/2014 | 5,528.00 |
| 30693 | MASTER M | Master Media Supply | 06/10/2014 | 16.19 |
| 30694 | Net serv | Network Services Group, L.L.C. | 06/10/2014 | 45.00 |
| 30695 | TPAG | TPAF III Westbury, LLC | 06/10/2014 | 7,500.00 |
| 30696 | UPRIGHT | Upright Fence, Inc. | 06/10/2014 | 2,680.00 |

Report Total:

177,265.60

Accounts Payable
Computer Check Register

Genoa Township

2911 Dorr Road
Brighton, MI 48116

(810) 227-5225

User: cathy

Printed: 05/29/2014 - 12:24

Bank Account: 101CH

| Check | Vendor No | Vendor Name | Date | Invoice No | Amount |
|-------|-----------|--------------------------------|-------------------|------------|--|
| 13091 | AETNA LI | Aetna Life Insurance & Annuity | 06/06/2014 | | 50.00 |
| | | | Check13091 Total: | | 50.00 |
| 13092 | EFT-Equi | Equivest Unit Annuity Lock Box | 06/06/2014 | | 710.00 |
| | | | Check13092 Total: | | 710.00 |
| 13093 | EFT-FED | EFT- Federal Payroll Tax | 06/06/2014 | | 7,913.54 4,494.12 4,494.12 1,051.03 1,051.03 |
| | | | Check13093 Total: | | 19,003.84 |
| 13094 | EFT-PENS | EFT- Payroll Pens Ln Pyts | 06/06/2014 | | 1,902.44 |
| | | | Check13094 Total: | | 1,902.44 |
| 13095 | EFT-TASC | EFT-Flex Spending | 06/06/2014 | | 1,201.85 |
| | | | Check13095 Total: | | 1,201.85 |
| 13096 | FIRST NA | First National Bank | 06/06/2014 | | 1,680.00 52,527.61 |

Check13096 Total:

54,207.61

Report Total:

77,075.74

4:20 PM

#593 LAKE EDGEWOOD W/S FUND**Payment of Bills**

May 28 through June 9, 2014

| Type | Date | Num | Name | Memo | Amount |
|--------------|------------|------|----------------------------|------------------------------------|------------------|
| Check | 05/28/2014 | 2537 | Brighton Analytical L.L.C. | LE Invoices | -77.00 |
| Check | 06/05/2014 | 2538 | Brighton Analytical L.L.C. | LE Invoices | -958.00 |
| Check | 06/05/2014 | 2539 | Mancuso & Cameron | Re: Lake Edgewood Well Abandonment | -244.00 |
| Total | | | | | -1,279.00 |

4:15 PM

#503 DPW UTILITY FUND**Payment of Bills**

May 28 through June 9, 2014

| Type | Date | Num | Name | Memo | Amount |
|--------------|------------|------|----------------------------------|--|--------------------|
| Check | 05/28/2014 | 2858 | Cunningham, Inc. | Inv. #1340 5/22/14 | -1,840.00 |
| Check | 05/28/2014 | 2859 | Genoa Township G/O New User Fund | Loan Repayment - 6/30/14 Qtrly | -16,037.00 |
| Check | 05/30/2014 | 2860 | SWANN'S CLOTHING STORE | Purchase of Boots on 5/28/14 - D. Olvin | -174.98 |
| Check | 06/05/2014 | 2861 | SWANN'S CLOTHING STORE | Uniform Boots - Z. Olvin on 5/28/14 | -184.98 |
| Check | 06/05/2014 | 2862 | WEX Bank | Acct #0496-00-212439-4 05/31/14 | -4,781.73 |
| Check | 06/05/2014 | 2863 | Tractor Supply Co. | Acct #6035301203240252 05/30/14 | -356.48 |
| Check | 06/09/2014 | 2865 | Genoa Township | Reimburse General Fund Payroll Fiscal Year | -300,000.00 |
| Total | | | | | -323,375.17 |

4:25 PM

#592 OAK POINTE WATER/SEWER FUND**Payment of Bills**

May 28 through June 9, 2014

| Type | Date | Num | Name | Memo | Amount |
|--------------|------------|------|--------------------------|-----------------------------------|----------------|
| Check | 05/28/2014 | 2991 | AT & T | Acct #124552625 4/12/14 - 5/11/14 | -65.50 |
| Check | 05/28/2014 | 2992 | BRIGHTON ANALYTICAL, LLC | Customer ID GENOATWP | -134.00 |
| Check | 06/05/2014 | 2993 | BRIGHTON ANALYTICAL, LLC | Customer ID GENOATWP | -603.00 |
| Check | 06/05/2014 | 2994 | CONSUMERS ENERGY | Oak Pointe Billings | -143.65 |
| Total | | | | | -946.15 |

4:27 PM

#595 PINE CREEK W/S FUND**Payment of Bills**

May 28 through June 9, 2014

| Type | Date | Num | Name | Memo | Amount |
|------|------|-----|------|------|--------|
|------|------|-----|------|------|--------|

no checks issued

GENOA CHARTER TOWNSHIP BOARD
Regular Meeting & Public Hearing
June 2, 2014

MINUTES

Supervisor McCririe called the regular meeting of the Genoa Charter Township Board to order at 6:30 p.m. at the Genoa Township Hall. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for the transaction of business: Gary McCririe, Paulette Skolarus, Robin Hunt, Jean Ledford, Linda Rowell and Jim Mortensen. Also present were Township Manager Mike Archinal; Township Attorney Frank Mancuso and three persons in the audience.

A Call to the Public was made with no response.

Approval of Consent Agenda:

Moved by Hunt and supported by Mortensen to approve all items listed under the consent agenda as requested. The motion carried.

1. Payment of Bills.

2. Request to Approve Minutes: May 19, 2014

3. Consider approval of the 2014 Township Millage Rate as proposed by the Township Assessor.

4. Request for approval of a permit for a fireworks display on West Crooked Lake on July 4, 2014 as requested by Michael Freeland of Ace Pyro representing Oak Pointe.

Approval of Regular Agenda:

Moved by Ledford and supported by Rowell to approve for action all items listed under the regular agenda. The motion carried

5. Public Hearing and request for approval of Zoning Ordinance Text Amendments regarding Temporary Outdoor Sales and Events.

A call to the public was made with no response. Moved by Mortensen and supported by Hunt, to approve the Zoning Ordinance Text Amendments related to Temporary Outdoor Sales and Temporary Outdoor Events (red text amendments). The motion carried by roll call vote as follows: Ayes – Ledford, Hunt, Rowell, Mortensen, Skolarus and McCririe. Nays – None. Absent – Smith.

6. Request for approval of a resolution allowing MHOG to provide water service to properties located in the City of Howell.

Moved by Mortensen and supported by Skolarus to approve the resolution as requested by Dr. Tatara. The motion carried by roll call vote as follows: Ayes – Ledford, Hunt, Rowell, Mortensen, Skolarus and McCririe. Nays – None. Absent – Smith.

7. Request to approve the purchase of playground equipment for the Township Park in an amount not to exceed \$24,654.00.

Moved by Ledford and supported by Skolarus to purchase the sensory play center wall including installation at a cost of \$11,764.00. The motion carried unanimously.

8. Request for approval of newsletter articles to be printed on July 1, 2014.

The first draft of newsletter articles was reviewed. Skolarus will send an updated version to the board prior to publication.

9. Request to enter into a closed session to discuss pending litigation pursuant to MCL 15.268 § 8 (e).

Moved by Skolarus and supported by Mortensen to enter into closed session at 7:25 p.m. to discuss pending litigation. The motion carried by roll call vote as follows: Ayes – Ledford, Hunt, Rowell, Mortensen, Skolarus and McCririe. Nays – None. Absent – Smith.

The meeting was re-opened at 7:50 p.m.

- Manager's report:
The cleanup at Suburban Mobile Homes was successful with a second pickup to be scheduled in a couple weeks
- Sidewalk repairs will be made to Bauer and Brighton Road
- The Hampton Ridge light will not go forward this year
- Crooked Lake from Latson to Chilson will receive an upgrade of crushed limestone at a cost of about \$200,000.00
- Sidewalk easements from Latson to Sunrise Park have been obtained and work will begin in the next couple weeks.

The regular meeting of the Genoa Charter Township Board was adjourned at 8:00 p.m.

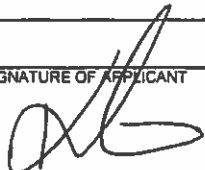


Paulette A. Skolarus, Clerk
Genoa Charter Township

(Press/Argus 06/06/2014)

2014

Application for Fireworks Other Than Consumer or Low Impact
 Michigan Department of Licensing & Regulatory Affairs
 Bureau of Fire Services
 P.O. Box 30700
 Lansing MI 48909
 (517) 241-8847

| | | | |
|---|-----------------------------|---|-------------------------------|
| Authority: 2011 PA 258 Compliance: Voluntary Penalty: Permit will not be issued | | The Department of Licensing & Regulatory Affairs will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency. | |
| <input type="checkbox"/> Agricultural or wildlife fireworks <input type="checkbox"/> Special effects manufactured for outdoor pest control or agricultural purposes | | <input type="checkbox"/> Articles Pyrotechnic <input checked="" type="checkbox"/> Public Display <input type="checkbox"/> Display Fireworks <input type="checkbox"/> Private Display | |
| NAME OF APPLICANT KURT PRICE | | ADDRESS 5393 WILDWOOD DR. | AGE (18 or over) 78 |
| IF A CORPORATION, NAME OF PRESIDENT | | ADDRESS HOWELL, MI 48843 | |
| IF A NON-RESIDENT APPLICANT, NAME OF MICHIGAN ATTORNEY OR RESIDENT AGENT | | ADDRESS | TELEPHONE NUMBER |
| NAME OF PYROTECHNIC OPERATOR JOSEPH S. CYBART | | ADDRESS P.O. Box 254 BRIGHTON, MI | AGE (18 or over) 72 |
| NO. YEARS EXPERIENCE 22 | NO. DISPLAYS 100+ | WHERE STATE OF MICHIGAN | |
| NAME OF ASSISTANT JOSEPH S. CYBART | | ADDRESS 6094 LACERNE BRIGHTON | AGE 50 |
| NAME OF OTHER ASSISTANT | | ADDRESS | AGE |
| EXACT LOCATION OF PROPOSED DISPLAY 5393 WILDWOOD DR. HOWELL, MI 300FT N.E. FROM WATERS EDGE | | | |
| DATE OF PROPOSED DISPLAY 7-4-14 RAIN DATE 7-5-14 | | TIME OF PROPOSED DISPLAY DUSK | |
| MANNER AND PLACE OF STORAGE, SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1128 AND OTHER STATE OR FEDERAL REGULATIONS PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT | | | |
| AMOUNT OF BOND OR INSURANCE (To be set by local government) 1,000,000.00 | | NAME OF BONDING CORPORATION OR INSURANCE COMPANY LLOYDS OF LONDON - P. P. I. B | |
| ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY 371 BEL MARIN KEYS BLVD. SUITE 220 NOVATO, CA 94949 | | | |
| NUMBER OF FIREWORKS | | KIND OF FIREWORKS TO BE DISPLAYED | |
| APPROX 90 | | 3" ARIAL SHELLS | |
| " 75 | | 4" ARIAL SHELLS | |
| " 30 | | MULTI-SHOT CAKES FROM 5/8" DIA TO 3" DIA | |
| SIGNATURE OF APPLICANT  | | <div style="border: 2px solid black; padding: 5px; width: fit-content; margin: auto;"> <p>RECEIVED</p> <p>JUN 04 2014</p> <p>GENOA TOWNSHIP</p> </div> | |
| | | DATE 06/04/14 | |

ATF certificate

CERTIFICATE OF INSURANCE

ISSUE DATE: 5/27/2014


| | |
|---|---|
| PRODUCER PROFESSIONAL PROGRAM INSURANCE BROKERAGE 371 BEL MARIN KEYS BLVD., SUITE 220 NOVATO CA, 94949-5882 | THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. |
| INSURER(S) AFFORDING COVERAGE | |
| INSURER A: LLOYD'S OF LONDON | |
| INSURER B: | |
| INSURER C: | |
| INSURER D: | |

INSURED
 Phoenix Fireworks, LLC
 PO Box 254
 Brighton, MI 48118

COVERAGES
 THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE NAMED INSURED ABOVE FOR THE PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES.

| CO LTR | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | LIMITS |
|--------|--|---------------|----------------------------------|-----------------------------------|--|
| A | GENERAL LIABILITY CLAIMS MADE GEN'L AGGREGATE LIMIT APPLIES PER POLICY | FY/13-0093 | 06/03/2013 | 06/03/2014 | EACH ACCIDENT \$ 1,000,000 |
| | | | | | MEDICAL EXP (Any one person) \$ |
| | | | | | FIRE LEGAL LIABILITY \$ 50,000 |
| | | | | | GENERAL AGGREGATE \$ 2,000,000 |
| | AUTOMOBILE LIABILITY — ANY AUTO — ANY OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS | | | | COMBINED SINGLE LIMIT (Ea accident) \$ |
| | | | | | BODILY INJURY (Per person) \$ |
| | | | | | BODILY INJURY (Per accident) \$ |
| | | | | | PROPERTY DAMAGE (Per accident) \$ |
| | EXCESS LIABILITY FOLLOWING FORM | | | | EACH ACCIDENT \$ |
| | | | | | AGGREGATE \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY | | | | WO STATUTORY LIMITS OTH-ER \$ |
| | | | | | E.L. EACH ACCIDENT \$ |
| | | | | | E.L. DISEASE-EA EMPLOYEE \$ |
| | | | | | E.L. DISEASE-POLICY LIMIT \$ |
| | OTHER | | | | |

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS
 Kurt Price as sponsor; The Township of Genoa; and Livingston County, MI are Additional Insured as respects the 07/04/2014 (RD: 07/05/2014) serial fireworks display located at 5393 Wildwood Dr., Howell, MI.

| | |
|--|--|
| CERTIFICATE HOLDER Kurt Price 5393 Wildwood Dr. Howell, MI 48843 | CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. |
| | AUTHORIZED REPRESENTATIVE  |

Phoenix Fireworks

Fax Cover Sheet

To: Susan Sitner
Genoa Town Hall

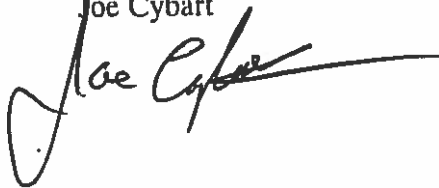
From: Joe Cybart
Phoenix Fireworks

Date:
Re: 1.3G display fireworks storage

Phone: 810-227-6799
Fax: 810-225-3478

Any and all 1.3 explosives that do not detonate will be returned to Phoenix Fireworks for disposal.

Thank you,

Joe Cybart




DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25403

May 5, 2014

Phoenix Fireworks LLC
P.O. Box 254
Brighton, MI 48114

901090:CRR/SCC
5400
File Number: 4-MI-00957

Premises Address: 880 Deadwood, Brighton, MI 48114

Dear Sir:

This letter acknowledges receipt of your timely application to renew your Federal explosives license/permit 4MI00957.

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is not able to process your application prior to the expiration date of your license/permit. However, Federal law allows you to continue operations under your current license/permit until such time as ATF completes processing your application. See 5 U.S.C. § 558. This letter, or as explained below, a follow-up letter, will serve as your license/permit until we complete action on your renewal. It is referred to as a Letter of Authorization (LOA).

Since we have not completed processing your application, you may supply a copy of this letter to other licensees/permittees, e.g., your distributors, for the next two months (or until we complete action on your renewal, if that occurs in less than two months) as evidence of your licensed/permitted status. If we have not completed processing your application for renewal within two months of the date of this letter, we will send you another letter, which will also be valid for two months (or until we complete action on your renewal, if that occurs in less than two months). This is of course contingent upon your remaining entitled to continue operations under your current license/permit.

Please direct questions or concerns regarding this letter to Sandy Curtis at 304-616-4406.

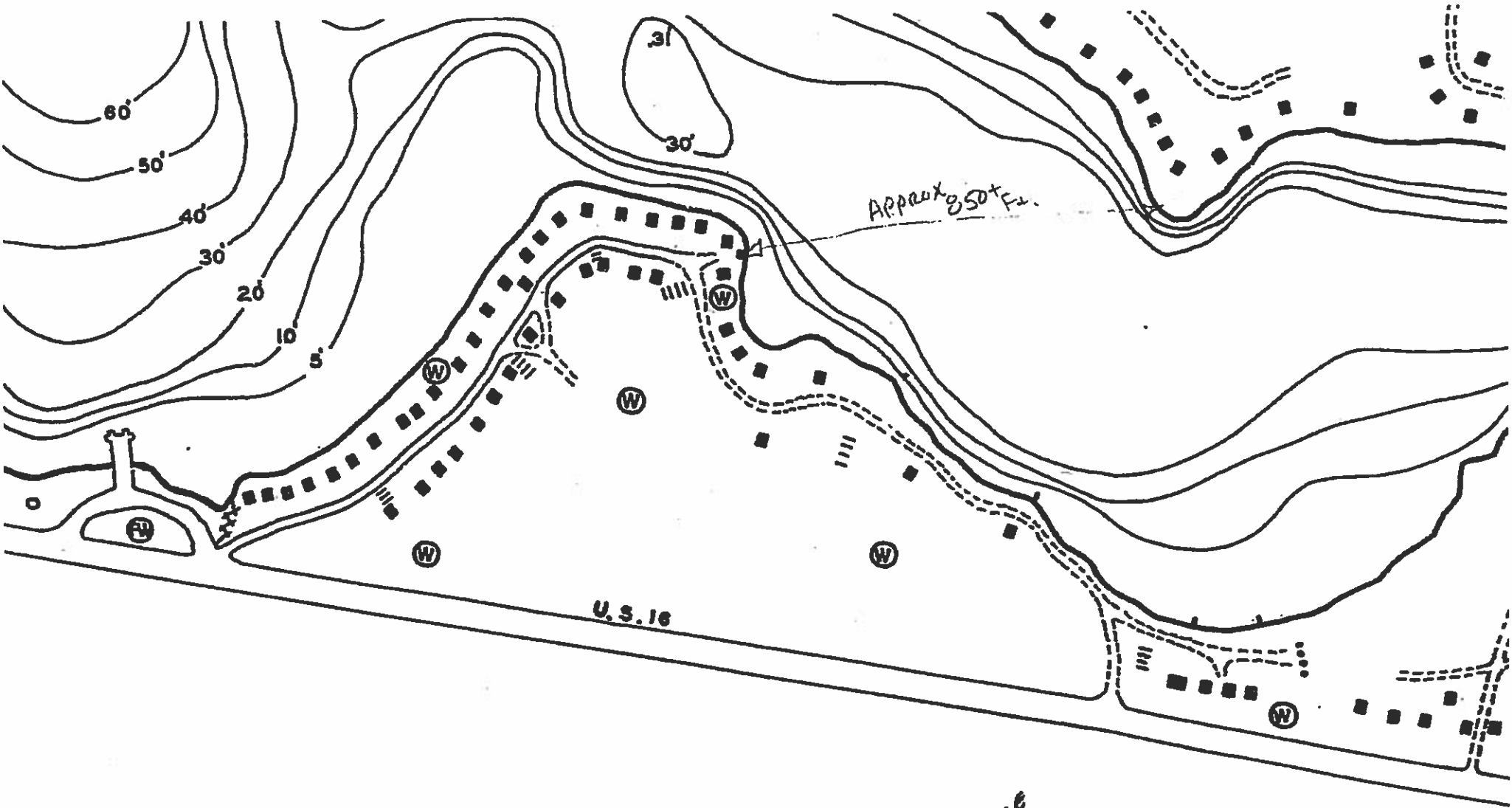
Sincerely,

Christopher R. Reeves

Christopher R. Reeves
Chief, Federal Explosives Licensing Center









ATF web address: www.atf.gov

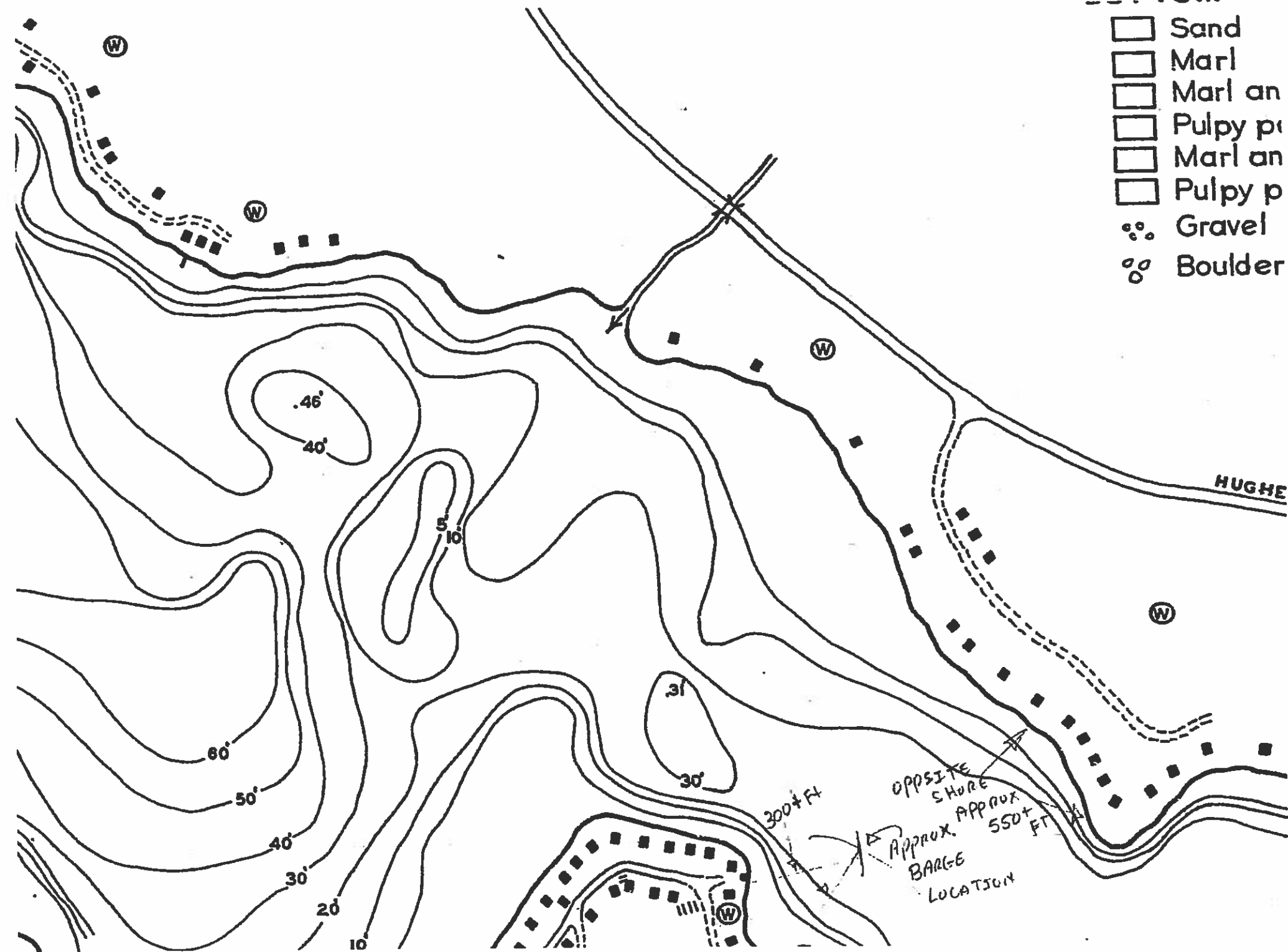
Allen
Joe



Approx DISTANCE
SHORE TO SHORE
FROM 5393 WILLOWOOD DR



-  Sand
-  Marl
-  Marl an
-  Pulpy p
-  Marl an
-  Pulpy p
-  Gravel
-  Boulder



KURT - NFPA 1123 REQUIRES 280' dia from center of VERTICAL 4" TUBES, YOU WILL MEET THAT REQUIREMENT BY BEING 300'+ FROM WATERS EDGE.

THIS WILL BE SHOT BY REMOTE FROM SHORE, NO DISPLAY OPERATOR WILL BE ABOARD THE BARGE.

THEY MAY INQUIRE ABOUT LIGHTING ON BARGES, FOR SAFETY. YOU MAY HAVE TO PROVIDE THIS.

RAIN DATE, WOULD BE THE 5th UNLESS OTHERWISE REQUESTED.

ALSO THEY MAY REQUIRE A RESPONSIBLE PERSON TO KEEP ANY BOATS BACK THAT ARE ON THE WATER. AGAIN THIS MAY REQUIRE A BOAT AND SOMEONE OF YOUR CHOOSING

FOR PERIMETER SAFETY, YOU MAY CONTACT DNR AND INQUIRE ABOUT TIME AND COST OF PATROLLING SHOOT AREA PRIOR TO AND DURING DISPLAY.

2014

Application for Fireworks Other Than Consumer or Low Impact
 Michigan Department of Licensing & Regulatory Affairs
 Bureau of Fire Services
 P.O. Box 30700
 Lansing MI 48909
 (517) 241-8847

Authority: 2011 PA 256
 Compliance: Voluntary
 Penalty: Permit will not be issued

The Department of Licensing & Regulatory Affairs will not discriminate against any individual or group because of race, sex, religion, age, national origin, color, marital status, disability, or political beliefs. If you need assistance with reading, writing, hearing, etc., under the Americans with Disabilities Act, you may make your needs known to this agency.

| | | | | | |
|---|---------------------------|--|--|---|-------------------------|
| <input type="checkbox"/> Agricultural or wildlife fireworks | | <input type="checkbox"/> Articles Pyrotechnic | | <input checked="" type="checkbox"/> Display Fireworks | |
| <input type="checkbox"/> Special effects manufactured for outdoor pest control or agricultural purposes | | <input type="checkbox"/> Public Display | | <input type="checkbox"/> Private Display | |
| NAME OF APPLICANT Pepper A Bergin | | ADDRESS 4292 Highcrest Dr | | AGE (18 or over) 60 | |
| IF A CORPORATION, NAME OF PRESIDENT | | ADDRESS | | | |
| IF A NON-RESIDENT APPLICANT, NAME OF MICHIGAN ATTORNEY OR RESIDENT AGENT | | ADDRESS | | TELEPHONE NUMBER | |
| NAME OF PYROTECHNIC OPERATOR Jordan Kwiatkowski | | ADDRESS 31862 Walledon Warren 48093 | | AGE (18 or over) 27 | |
| NO. YEARS EXPERIENCE 9 yrs | NO. DISPLAYS 70 | WHERE Walverine fireworks, St. Arks fireworks, Mich. Amer. fireworks, etc. pyro, crossed state | | | |
| NAME OF ASSISTANT Jared Kwiatkowski | | ADDRESS 31862 Walledon Warren | | AGE 26 | |
| NAME OF OTHER ASSISTANT | | ADDRESS | | AGE | |
| EXACT LOCATION OF PROPOSED DISPLAY 3751 Highcrest Dr, Brighton, MI 48116 | | | | | |
| DATE OF PROPOSED DISPLAY July 1, 2014 | | | TIME OF PROPOSED DISPLAY Dusk | | |
| MANNER AND PLACE OF STORAGE, SUBJECT TO APPROVAL OF LOCAL FIRE AUTHORITIES, IN ACCORDANCE WITH NFPA 1123, 1124 & 1128 AND OTHER STATE OR FEDERAL REGULATIONS PROVIDE PROOF OF PROPER LICENSING OR PERMITTING BY STATE OR FEDERAL GOVERNMENT No storage required. All product used in display | | | | | |
| AMOUNT OF BOND OR INSURANCE (To be set by local government) | | | NAME OF BONDING CORPORATION OR INSURANCE COMPANY | | |
| ADDRESS OF BONDING CORPORATION OR INSURANCE COMPANY | | | | | |
| NUMBER OF FIREWORKS | | KIND OF FIREWORKS TO BE DISPLAYED | | | |
| 275 | | 2" aerial shells) Lidu | | | |
| 200 | | 2 1/2" aerial shells) Lidu | | | |
| 375 | | 3" aerial shells) Kulin | | | |
| 150 | | 4" aerial shells) Kulin | | | |
| 100 | | 5" aerial shells) Union | | | |
| 50 | | 6" aerial shells) Union | | | |
| 20 | | barriage cakes) from 55mm-70mm bore | | | |
| SIGNATURE OF APPLICANT Pepper A Bergin | | | | | DATE 6.4.2014 |

To: Genoa Township Board

I am requesting a permit for a fireworks display to be launched on July 1st, 2014. I am using the same pyrotechnic operator as past events.

You will find the certificate of insurance, contingency letter and permit/license enclosed in packet with my map location for the display.

Again this year, as in years past, the display will be launched at 3751 Dighcrest Dr on East Crooked Lake. I wish to thank you in advance for your consideration of granting this permit.

Sincerely,

Pepper Bergin
Pepper Bergin

GENOA TOWNSHIP

JUN 06 2014

RECEIVED

GENOA TOWNSHIP

JUN 06 2014

RECEIVED

Big Crooked lake

Boots
Lawson
CONRAD

CONRAD
Clifford

B.P.

Berge's
500 yds from
house

3751
Highcrest

Clifford

Round
Lake

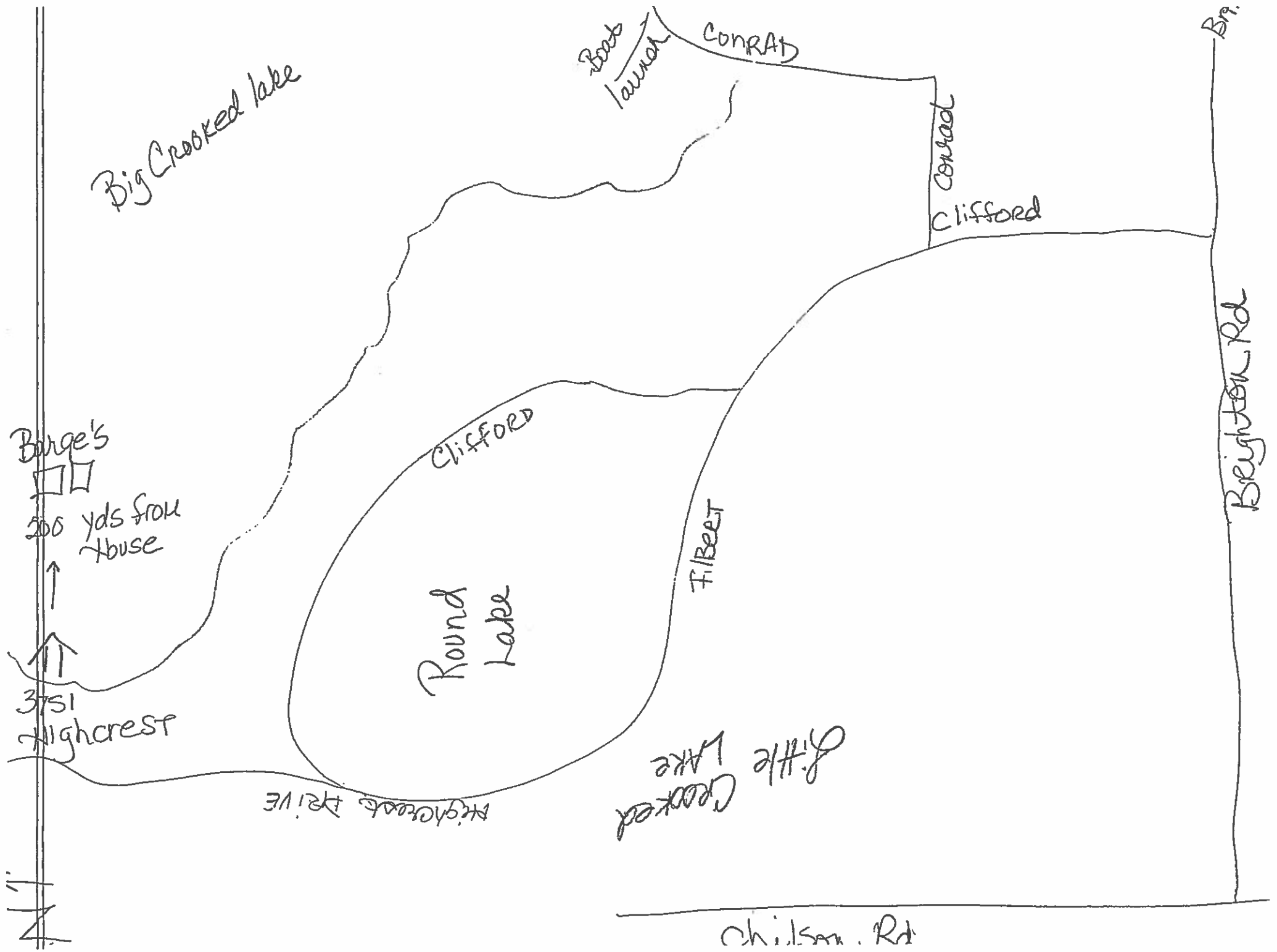
F. BEET

Little
Crooked
Lake

Brighton Rd

Highcrest Drive

Chilsum Rd



BOAT LAUNCH

Big Crooked Lake

WET LANDS

□ BARGE □

↑
200 yds from shore
↑

↑ 13751

Highcrest Drive

103/E

See last years
Diagram

Federal Explosives License/Permit
(18 U.S.C. Chapter 40)

In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

| | | | |
|---|--|--------------------------|-----------------------------|
| Direct ATF Correspondence To | ATF - Chief, FELC 244 Neeley Road Martinsburg, WV 25405-9431 | License/Permit Number | 4-MI-099-54-5K-01232 |
| Chief, Federal Explosives Licensing Center (FELC) | <i>Christopher R. Reeves</i> | Expiration Date | October 1, 2015 |

Name
KWIATKOWSKI, JORDAN

Premises Address (Changes? Notify the FELC at least 10 days before the move.)

**31862 WELLSTON
WARREN, MI 48093-**

Type of License or Permit

54-USER OF EXPLOSIVES

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FELC of any changes.)

KWIATKOWSKI, JORDAN
31862 WELLSTON
WARREN, MI 48093-

Jordan Kwiatkowski
Licensee/Permittee Responsible Person Signature

Position/Title

Jordan Kwiatkowski

9-17-12



Risk Assessment

JULY, 1, 2014

On the day of the display, an ABC Safety Officer will secure the fireworks upon delivery, so that no on-site storage is required. There is to be a six-man crew working the firework display, during which all NFPA 1123 regulations will be strictly adhered to. The crew will consist of a Lead Operator, Assistant Lead Operator, Safety Officer, and three additional persons to assist with overseeing the safety of both the ABC crew-members and the spectators. The show will be fired electronically at a distance of 450-feet from the shore, with the maximum shell-size being 6" in diameter. There is to be two barges, anchored with four cinder-blocks, and having two 20-pound fire extinguishers for additional safety. Furthermore, there will be a Safety Boat on the lake to oversee all aspects of the display. Plus, by not having any trees or power lines in the fallout zone, the possibility of accident or injury is relinquished for all.

Chief, FFLC
Correspondence To: AIF - Chief, FFLC
244 Needy Road
Martinsburg, WV 25405-9477

License Permit
Number

4-MI-099-54-5K-01232

Chief, Federal Explosives Licensing Center (FFLC)

Christopher R. Reers

Expiration
Date

October 1, 2015

Name
KWIATKOWSKI, JORDAN

Premises Address (Changes? Notify the FFLC at least 10 days before the move.)

31862 WELLSTON
WARREN, MI 48093-

Type of License or Permit

54-USER OF EXPLOSIVES

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a purchaser of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

Mailing Address (Changes? Notify the FFLC of any changes.)

KWIATKOWSKI, JORDAN
31862 WELLSTON
WARREN, MI 48093-

Jordan Kwiatkowski
Licensee/Permittee Responsible Person Signature

Position Title

Jordan Kwiatkowski

9-17-12



Federal Explosives License/Permit (FEL) Information Card

License Permit Name: KWIATKOWSKI, JORDAN

Business Name:

License Permit Number: 4-MI-099-54-5K-01232

License Permit Type: 54-USER OF EXPLOSIVES

Expiration: October 1, 2015

Please Note: Not Valid for the Sale or Other Disposition of Explosives.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/05/2014

| | | |
|--|---|---------------|
| PRODUCER PROFESSIONAL PROGRAM INSURANCE BROKERAGE 371 BEL MARIN KEYS BLVD, SUITE 220 NOVATO CA, 94949-5682 | THIS CERTIFICATION IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. | |
| | INSURERS AFFORDING COVERAGE | NAIC # |
| INSURED ABC DISPLAY FIREWORKS 31862 WELLSTON WARREN, MI, 48093 | INSURER A: LLOYDS OF LONDON | |
| | INSURER B: | |
| | INSURER C: | |
| | INSURER D: | |
| | INSURER E: | |

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR/ADD'L LTR/INSRD | TYPE OF INSURANCE | POLICY NUMBER | POLICY EFFECTIVE DATE (MM/DD/YY) | POLICY EXPIRATION DATE (MM/DD/YY) | LIMITS |
|----------------------|--|---------------|----------------------------------|-----------------------------------|---|
| | GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC | PY/13-0037 | 06/20/2014 | 06/20/2015 | EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ \$ |
| | AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS | | | | COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ |
| | GARAGE LIABILITY <input type="checkbox"/> ANY AUTO | | | | AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY AGG \$ |
| | EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE \$ RETENTION \$ | | | | EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below | | | | WC STATU-TORY LIMITS OTH-ER E L EACH ACCIDENT \$ E L DISEASE - EA EMPLOYEE \$ E L DISEASE - POLICY LIMIT \$ |
| | OTHER | | | | |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

ADDITIONAL INSURED AS RESPECTS THE FIREWORKS DISPLAY ON 07/01/2014 LOCATED AT 3751 HIGHCREST DR. BRIGHTON, MICHIGAN

CERTIFICATE HOLDER

3751 HIGHCREST DR.
BRIGHTON, MICHIGAN

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE



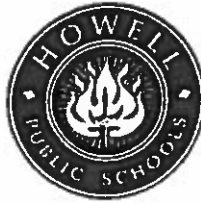
MEMO

TO: Genoa Township Board
FROM: Michael C. Archnial, Township Manager *MA*
DATE: June 11, 2014
RE: Howell Public Schools Planned Unit Development Agreement

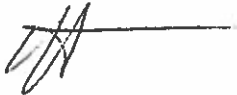
Please be advised that at their June 9, 2014 meeting the Howell Public Schools Board of Education approved a Planned Unit Development Agreement for the former Latson Elementary property. The agreement as approved does not seek to vest any right to the existing driveway at the northern edge of the property. This is consistent with the discussions and agreements we had in place with the District as part of the easement acquisition for the Latson Interchange.

Please consider the following action:

Moved by _____, supported by _____, to approve the Planned Unit Development Agreement with Howell Public Schools for the former Latson Elementary property.



MEMORANDUM

TO: Ron Wilson, Superintendent
FROM: Rick Terres, Associate Superintendent 
DATE: May 14, 2014
RE: Approval of the Planned Unit Development Agreement with Genoa Township

Attached please find a revised Planned Unit Development Agreement between Howell Public Schools and Genoa Township.

This Agreement is in regards to the Latson Elementary School property.

The general terms and conditions have been reviewed by the Finance Committee.

The significant change to the original proposed agreement removed language in Article III pertaining to curb cuts.

The revised P.U.D. Agreement contains all of the provisions found in the Real Property Benefits Agreement (RPBD) approved by the Board of Education in 2012. The RPBA is the document that will be referred to in case of any direct conflict regarding specific terms and provisions of the P.U.D. Agreement.

I recommend approval of the P.U.D. Agreement with Genoa Township.



THRUN
LAW FIRM, P.C.

U.S. MAIL ADDRESS
P.O. BOX 2278
EAST LANSING, MI 48828-2278
PHONE: (317) 484-8000
FAX: (317) 484-0041
FAX: (317) 484-0081

ALL OTHER SHIPPING
2900 WEST ROAD, SUITE 400
EAST LANSING, MI 48823-6286

Gordon W. VanWieren, Jr.
(517) 374-8843

Confidential: Attorney-Client Privileged Communication

June 2, 2014

Mr. Richard P. Terres
Associate Superintendent, Business
Howell Public Schools
411 N. Highlander Way
Howell, Michigan 48843-1021

Dear Rick:

I received your telephone message concerning the above-referenced property. Specifically, you have asked that I address three issues concerning the proposed Plan Unit Development Agreement ("PUD Agreement").

First, you have asked whether the Real Property Benefits Agreement ("Benefits Agreement") will still apply to the property if the PUD Agreement is approved. The answer is "yes." This is a legitimate concern and the following language has been added to the PUD Agreement to confirm that the Benefits Agreement will govern and control over the PUD Agreement:

In the event of any direct conflict between the specific terms and provisions of this Agreement (including the attached PUD Plan), the provisions of the Real Property Benefits Agreement between the parties dated April 10, 2012, the Agreement to Transfer Real Property between the parties, dated March 26, 2012, the provisions of the Zoning Ordinance, or other Township ordinances, rules or regulations, order of priority shall be: (1) the terms of the Real Property Benefits Agreement; (2) this Agreement; (3) the Agreement to Transfer Real Property; and (4) the Township's Zoning Ordinance or other Township ordinances, rules or regulations.

Given Section 9.3 of the PUD Agreement, the Benefits Agreement will take priority over the PUD Agreement in the event of a conflict between these two agreements.

Second, you ask if a 5-story building will be permitted on the property. The answer is "yes." Section C of the Benefits Agreements contains the zoning concessions that were agreed to between the Township and the District. Section C on the top of page 4 of the Benefits Agreement specifically permits a building "75 feet and 5-stories." As such, a 5-story building is permitted,



Mr. Richard P. Terres
June 2, 2014
Page 2 of 2

but is limited to 75 feet. In my experience, the 75-foot limitation should not impair the construction of a 5-story building.

Finally, you have inquired whether the current second ingress/egress to Latson Road is prohibited by the PUD Agreement. As will be explained herein, while not expressly prohibited by the PUD Agreement, this Agreement does grant this second access point. As you may recall, the preliminary draft of the PUD Agreement contained the following language:

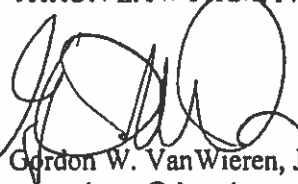
- 3.1 The establishment of curb cuts and driveways to public thoroughfares from the PUD Property shall be limited and restricted for the purpose of reducing the number of turning movements to and from the Property.

After discussion and negotiation with the Township, this language was removed. However, no language was added which specifically grants this second ingress/egress access. In our recent conversations just concerning this issue, I believe that we both agree that the Township and the Livingston County Road Commission will try to limit the number of access points to Latson Road and this will in all likelihood include consolidated the second access point with the road for adjacent apartment complex. In sum, this is an open issue that will be left for further discussion and negotiation with the Township and County Road Commission.

I hope that the aforementioned helps address your questions. I look forward to working with you on this matter and ask that you contact me with any further questions.

Very truly yours,

THRUN LAW FIRM, P.C.



Gordon W. Van Wieren, Jr.
gvanwieren@thrunlaw.com

GWV/jmw

w:\wdsystem\wddocs\clidoc\73\1\00989419.docx

Revised
PUD

STATE OF MICHIGAN
COUNTY OF LIVINGSTON
GENOA CHARTER TOWNSHIP

**PLANNED UNIT DEVELOPMENT AGREEMENT FOR FORMER LATSON ELEMENTARY
SCHOOL PROPERTY**

THIS PLANNED UNIT DEVELOPMENT AGREEMENT is made and entered into on this ____ day of _____, 2014, by **Howell Public Schools**, a Michigan general powers school district, whose address is 411 N. Highlander Way, Suite C, Howell Michigan 48843 (referred to as "HPS") and **Genoa Charter Township**, a Michigan municipal corporation, whose address is 2911 Dorr Road, Brighton, Michigan referred to as "Township").

RECITATIONS:

The HPS possesses fee title to certain real property situated in the Genoa Charter Township, County of Livingston, and State of Michigan, more particularly described in Exhibit A, (referred to as "Property").

The recent completion of the adjacent Latson Road interchange required a portion of the previous Latson Elementary School site, which was agreed upon by HPS and Township in a Real Property Benefits Agreement, dated April 10, 2012, (Exhibit F). In this agreement, the remainder of the parcel was agreed to by both parties to be developed as a Non-residential PUD. This follows the Master Plan future land use designation of this Property as regional commercial. These uses will complement nearby commercial uses and future uses that will arise from the newly created demand of the interchange.

HPS has a preferred concept plan (Exhibit B), but also includes two additional concepts that are variants of the preferred plan (Exhibits B-1 and B-2). Any of these three concepts may be considered upon securing a developer for the property.

The Township Planning Commission and Township Board, in strict compliance with the Township Zoning Ordinance and with Act 110 of the Public Acts of 2006, as amended, reclassified the Property as Non-Residential Planned Unit Development District, finding that such classification properly achieves the purpose of Article 10 of the Genoa Township Zoning Ordinance, including the encouragement of innovation in land use, the preservation of open space in areas adjacent to S. Latson Road and properties to the north and east in order to achieve compatibility with adjacent land uses, the promotion of efficient provision of public services and utilities, the reduction of adverse traffic impacts, and the provision of adequate employment. Further the Township Planning Commission and Township Board find the Non-Residential Planned Unit Development District and the PUD Plan are consistent with the Township Master Plan.

The Township has found and concluded that the uses and future development plans for the Property and conditions shown on the approved PUD Concept Plan, attached as Exhibit B ("PUD Plan"), are reasonable and promote the public health, safety, and welfare of the Township, and that they are consistent with the plans and objectives of the Township and consistent with surrounding uses of land.

NOW, THEREFORE, OWNER AND TOWNSHIP, in consideration of the mutual promises contained in the Agreement, HEREBY AGREE AS FOLLOWS:

ARTICLE I. GENERAL TERMS OF AGREEMENT

- 1.1 The Township and HPS acknowledge and represent that the recitations set forth above are true, accurate, and binding.

- 1.2 The Township acknowledges and represents that this Agreement may be relied upon for future land use and development of the Property by HPS's successors, assigns, and transferees.
- 1.3 The PUD Concept Plan, attached as Exhibit B, (or Exhibits B-1 and B-2), has been duly approved by the Township in accordance with all applicable Township ordinances, and depicts the land uses which will be permitted and which may be developed on the Property. All formal actions necessary or expedient to carry out this Agreement shall be taken by the parties without undue delay consistent with the Township's ordinances and policies.
- 1.4 Except as specifically provided for in this Agreement, final site plans will comply with applicable Zoning Ordinance requirements. However, at the time of review of respective site plans for the development of various portions of the Property, deviations from ordinance regulations may be agreed upon by the Township and HPS. Changes to the PUD Concept Plan or PUD Agreement will be processed as outlined in the Zoning Ordinance.
- 1.5 The PUD Plan identifies the location and configuration of the authorized land uses that may be developed on the Property, except as noted in 1.3 above.
 - A. All uses authorized as permitted or as may be authorized by special land use are defined in Exhibit C.
 - B. HPS shall be permitted to create parcels and to adjust the size and shape of such parcels, provided the creation or adjustment does not alter the land use designation for any area of the Property or increase the intensity and/or density of use. Modifications shall be comparable to the alternative Concept Plans (Exhibits B, B-1 and B-2). All development shall be subject to Final PUD Site Plan and land division (if necessary) approval. In addition:
 1. HPS shall not be entitled to make a modification which substantially increases the impact upon adjoining properties or facilities without the approval of Township.
 2. HPS may make other changes consistent with the provisions of Article 10 of the Township's Zoning Ordinance.
 - C. The sizes of the various parcels within the land use designations shall be subject to modification under the applicable regulations of the Zoning Ordinance and state law.
- 1.6 This Agreement, including the uses approved on the PUD Plan, are for the benefit of the Property, and shall run with the Property, and shall bind and inure to the benefit of the successors, assigns and transferees of the parties to this Agreement.

ARTICLE II. LAND USE AUTHORIZATION

- 2.1 The Planned Unit Development shall include a land use authorization for the uses agreed upon by HPS and Township as listed in Exhibit C.
- 2.2 No construction shall be permitted until HPS has received final site plan approval in accordance with Genoa Township ordinances. If the Property is divided into parcels,

more detailed planning for the development of the Property may be undertaken on a parcel-by-parcel basis, subject to the intent and obligation to coordinate development of the Property as a whole, as specified hereinafter. HPS, as dictated by HPS's transferees, shall determine the timing and order of development subject to the Township's Zoning Ordinance. At the time HPS, and the HPS's assigns and transferees, are prepared to develop each portion or phase of the Property, a plan prepared in the form required by applicable ordinance and law, including impact assessments required by the Township, and consistent with this Agreement, shall be submitted for review and approval. The Township shall review each of such plans within a reasonable time. Site plan and other review requirements shall not be subject to any subsequent enactments or amendments of the Zoning Ordinance which are inconsistent with this Agreement unless the concept plan as set forth herein is materially altered at the request of HPS or its successors and assigns. Provided however, the PUD Concept Plan attached as Exhibit B is also approved as described herein.

- 2.3 If a use authorized under Exhibit C as a special land use is proposed on the Property, such use must be applied for and authorized as provided in the Zoning Ordinance. No storage of trucks, trailers or similar delivery vehicles or containers shall be stored on site for more than twenty-four (24) hours unless they are being actively loaded or unloaded.
- 2.5 A minimum 15% of the site shall be open space as agreed to in Exhibit D. This requires a deviation from 25% as defined in Article 10 of the Zoning Ordinance. Open space is defined as undisturbed areas of key natural features, detention ponds, landscaped areas or plazas. Detention areas shall comprise no more than 50% of the required open space.
- 2.7 Notwithstanding the current code, the principal structure and parking lot must be set back in accordance with Exhibit B. There shall be only one automobile service station allowed.

ARTICLE III. OFF-SITE TRANSPORTATION IMPROVEMENTS

- 3.1 Off-Site Improvements in Public Right of Way.
 - A. Traffic Signal. The Township acknowledges that the Livingston County Road Commission ("LCRC") will provide, at its cost, a traffic signal which will permit the efficient flow of vehicular traffic to and from the Property and Latson Road. The Township will cooperate with the LCRC and HPS (or its successors, as applicable) for the installation of said traffic signal. The LCRC shall install the traffic signal as set forth in the Livingston County Road Commission - RGL Howell, LLC and GCG Howell, LLC Agreement to Transfer Property dated August 30, 2011 (the "Agreement to Transfer"), or at such time a site plan is approved for any portion of the Remaining Parcel provided that HPS, or its successors, reach an agreement with the LCRC.
 - B. Improvement of Intersection. The Parties agree that the costs of the acceleration and deceleration lanes are the obligation of MDOT up to the "spring lines" on the North side of the Interchange. The costs of the "extension" of these lanes will be subject to further negotiation between MDOT and LCRC. It is understood that although HPS and its successors and assigns will be permitted to have a voice at the preconstruction meetings, HPS will not be empowered to vote on any final

decisions. It is further understood by the Parties that HPS, its successors and assigns and/or other occupants of the Property will be required, at their expense, to perform a limited traffic study to determine the length of the acceleration/ deceleration lanes.

- C. Entryway to Property. The Township represents and warrants that it will obtain LCRC's consent that the width of the entryway to the Property at the Latson Road intersection where the traffic signal is located not be less than the width of Grand Oaks Drive and the density of the Remaining Parcel will not be reduced by the width of the entryway drive.

ARTICLE IV. INTERNAL ROAD NETWORK

- 4.1 Internal access shall be established between the various uses and buildings as generally shown in Exhibit B (or B-1 or B-2, as applicable).

ARTICLE V. DRAINAGE

- 5.1 The on-site drainage system will be built by HPS or its assigns following review and approval by the Township Engineer and Livingston County Drain Commissioner.

ARTICLE VI. SITE IMPROVEMENTS

- 6.1 There shall be a coordination of site improvements within the overall Property, with the objective of creating site improvements that are integrated and mutually supportive among the respective portions or phases of the development, including the utilities, landscaping and lighting.
- 6.2 A pedestrian network shall be constructed by HPS or its assigns on the east side of Latson, per Township standards.
- 6.3 Development shall be undertaken with underground electrical service to the buildings on the Property. Public utility lines in existing or future easements shall be permitted overhead so long as the buildings are serviced from underground.
- 6.4 The following site elements shall be provided:
 - A. Site design and landscaping shall diminish the prominence of parking lots as viewed from public streets.
 - B. Extensive greenways and tree-lined drives shall be within parking lots and throughout the site to improve traffic operations and views
 - C. Landscaping shall include all required plantings pursuant to section 12.02 of the Zoning Ordinance and as shown on the approved final PUD site plan.
 - E. Ornamental lighting shall be provided along Latson Road right of ways consistent with other recent developments along the roadway.
 - F. Ongoing maintenance and repair or replacement of site design elements, such as common landscaping, lighting, and joint freestanding signage shall be maintained by either the developer, or a lot owner, or association.

- G. The parking lot configuration, sizes and quantities of stalls, shall be accepted as shown on a final site plan as approved by the Township.

ARTICLE VII. DESIGN OF BUILDING AND SIGNS

- 7.1 The architecture, building materials, colors and shapes of all buildings shall be in substantial conformity with the guidelines set forth in the Genoa Township Zoning Ordinance, as adopted, and as it may be amended. It is the intention of the parties to promote and encourage a development that incorporates varying building lines, natural earth tone construction materials and other elements contemplated to upgrade the appearance of the development overall in the interest of making it aesthetically pleasing. Flat front roof facades shall be discouraged. Large walls shall include varying building lines, setbacks, color accents, windows or other elements to upgrade appearance. Each site plan will include a narrative or illustration(s) that demonstrates the design will be consistent with, or complement architecture of the other sites. Buildings shall utilize high quality architecture with variable building lines, peaked roofs and architectural accents. Brick facades or tilt up panels with brick shaped forms or other natural materials (i.e., brick, stone, etc.) shall be used for certain building faces.

Other materials may be used for architectural accents provided such materials shall have the appearance of cut or cast stone or stucco. Out parcel buildings shall have wall surfaces with at least eighty percent (80%) natural materials (i.e., brick, stone, etc.).

- 7.2 Signage: Freestanding signs for individual lots within the PUD shall be ground mounted (monument) signs. No pole signs shall be permitted. All freestanding signs shall have a base constructed of materials that coordinate and are not inconsistent with the building, and other signs within the PUD. In addition, there shall be permitted one highway sign, such sign shall be a maximum of 200 square feet, shall not exceed thirty (30) feet in height and shall be permitted to advertise users in the project. Each individual lot within the PUD shall be limited to monument signs no taller than 6 feet and no larger than 72 square feet in area. All wall signs shall have channel lettering or individual letters (not panels). All freestanding lighted signs shall be internally lit. Additional wall, highway and other signs shall be permitted as authorized in the Zoning Ordinance.
- 7.3 Landscaping and site lighting: The landscaping within the PUD shall demonstrate consistency in terms of design and materials. Generally, site lighting shall be a uniform type and color. All ornamental lighting shall be of the same style as nearby non-residential PUDs.

ARTICLE VIII. UTILITIES

- 8.1 Capacity. The Township represents and warrants that the capacity is available for water and sanitary sewer for any future development of the Property at no cost to HPS its successors and assigns.
- 8.2 Residential Equivalent Units ("REUs") for Sanitary Sewer and Water. The Township acknowledges that the Property currently has 22 residential equivalent units (REUs) for sanitary sewer and 20 REUs for water and may be utilized by the District, its successors and assigns, for the future development of the Property. In addition, the Township agrees to provide an additional five (5) REUs for sanitary sewer and seven (7) REU's for water, at no cost, which additional REUs can be utilized by HPS, its successors and assigns, for the future development of the Property. The Township represents and warrants that any

additional REUs needed by HPS, its successors and assigns, for the future development of the Property shall be priced at the current 2012 pricing of \$5,000 per REU for water and \$5,500 per REU for sanitary sewer. HPS agrees that all REUs described in this paragraph are only assignable to a successor in title or interest of the Property.

- 8.3 No Other Fees. Other than the REU fees stated above, there are currently no additional connection or capital fees charged by the Township. Other than the fees set forth in subparagraph 8.2 above, no other connection fees shall be imposed upon HPS, its successor and assigns with regard to the Property. In addition, the Township represents and agrees that the existing 15" gravity sewer on Grand River is at capacity and the Township shall not impose any additional costs on HPS related to increasing the capacity of the Grand River sewer to serve the Property and that the Grand River sewer is the only present sewer capacity constraint for the Property. Notwithstanding the above and except as provided in subparagraph 8.1 above, the Remaining Parcel shall not be exempted from charges for any sewer system upgrades that benefit the system and are borne on a pro-rata basis by the users of the system. Notwithstanding the foregoing, HPS, its successors and assigns will be subject to fees required for engineering, inspection and fees imposed by other local units of government for the Property.

ARTICLE IX. MISCELLANEOUS

- 9.1 This Agreement may not be modified, replaced, amended or terminated without the prior written consent of the parties to this Agreement, which consent shall not be unreasonably withheld. HPS and the Township shall be entitled to modify, replace or amend this Agreement without the consent of any other person or entity, regardless of whether such person or entity now or hereafter has any interest in any part of the Property, including subsequent purchasers, or their tenants, mortgagees, or others.
- 9.2 Reference in this Agreement to activities by HPS in relation to development is intended to include HPS's transferees and assigns unless context dictates to the contrary.
- 9.3 In the event of any direct conflict between the specific terms and provisions of this Agreement (including the attached PUD Plan), the provisions of the Real Property Benefits Agreement between the parties dated April 10, 2012, the Agreement to Transfer Real Property between the parties, dated March 26, 2012, the provisions of the Zoning Ordinance, or other Township ordinances, rules or regulations, order of priority shall be: (1) the terms of the Real Property Benefits Agreement; (2) this Agreement; (3) the Agreement to Transfer Real Property; and (4) the Township's Zoning Ordinance or other Township ordinances, rules or regulations.
- 9.4 In the event a portion of the Property is submitted for site plan approval, and such approval is denied, the party submitting such site plan shall be entitled to appeal such decision to the Zoning Board of Appeals as provided by law, and all parties shall agree to proceed expeditiously to final resolution.
- 9.5 The undersigned parties acknowledge that the conditions imposed upon the development of the property are reasonable conditions necessary to ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Further, it is acknowledged that the conditions meet all of the

requirements of MSA 5.2963(16d)(2)(a)(b) and (c).

9.6 Until the Property is fully developed, each site plan applicant shall be responsible following Township approval of the respective site plan, plat and/or site condominium presented to the Township to superimpose the approved plan of development upon the overall PUD plan to clearly illustrate the final development plan for each portion of the Property.

9.7 Minimum dimensional standards shall be as described in Exhibit C.

Exhibit List

- Exhibit A: Cover/Existing Conditions Sheet
- Exhibit B: PUD Concept Plan
- Exhibit B-1: Concept Plan Option B
- Exhibit B-2: Concept Plan Option C
- Exhibit B-3: Concept Plans Programming Detail
- Exhibit C: Use Table
- Exhibit D: Real Property Agreement (dated 4-10-12)
- Exhibit E: Survey (dated 4-25-12)
- Exhibit F: Design Guidelines for Interchange Commercial from Master Plan

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DRAFT MINUTES SUBJECT TO BOARD APPROVAL
HOWELL PUBLIC SCHOOLS
BOARD OF EDUCATION MEETING
ADMINISTRATION BUILDING BOARD ROOM
Monday, June 9, 2014

CALL TO ORDER

President M. Witt called the meeting to order at 6:30 PM.

ROLL CALL OF THE BOARD

Present: Mr. Witt, President; Mr. Yenshaw, Vice-President; Ms. Pasini, Treasurer; Mr. Moore, Trustee; Mr. Moloney, Trustee.

Absent: Ms. Witt, Secretary and Ms. McCormick, Trustee

Ms. Witt and Ms. McCormick joined the meeting during closed session.

CENTRAL OFFICE ADMINISTRATORS PRESENT

Mr. Wilson, Superintendent; Ms. Cotton, Executive Director of Instructional Services; Mr. Terres, Associate Superintendent of Business; Ms. Harmon-Higgins, Executive Director of Labor Relations and Personnel; Ms. Wald, Director of Finance; Mr. Pominville, Director of Technology; Mr. Peterson, Director of Operations; Mr. Haseley, Director of Special Education.

ROUTINE ITEMS

Agenda Additions, Deletions and Approval

#2013-184 Moved by Mr. Moloney, supported by Mr. Moore that the agenda be approved.
Yes: Moloney, Pasini, M. Witt, Yenshaw, Moore. Motion carried 5-0.

Approval of Minutes

#2013-185 Moved by Mr. Moloney, supported by Ms. Pasini that the board approve the minutes of the Regular meeting of May 19, 2014. Yes: Moloney, Pasini, M. Witt, Yenshaw, Moore. Motion carried 5-0.

EXECUTIVE SESSIONS

#2013-186 Moved by Mr. Moloney, supported by Mr. Moore that the board adjourn into executive sessions to consider: (A) The reinstatement of an expelled student (Case #101), in compliance with HPS Policy #0167.2; the closed session has been requested by the family of the student pursuant to Section 8(b) of the Open Meetings Act; and (B) the written opinion of counsel dated June 6, 2014, pursuant to Section 8(h) of the Open Meetings Act, which matter is within the attorney/client privilege and is exempt from disclosure under Section 13(1)(g) of the Freedom of Information Act.

Roll Call Vote on #2013-186: Moloney-Yes; Pasini-Yes; M. Witt-Yes; Yenshaw-Yes; Moore-Yes. Motion carried 5-0.

The board adjourned into closed session at 6:34 p.m.
The board reconvened in public session at 8:02 p.m.

CORRESPONDENCE

- A. Board Members
 - Mr. Moore noted receipt of correspondence regarding recent graduate Trevor Inman and extended his condolences to the family; congratulated the 2014 graduates and noted that his absence at graduation was due to his son's state track finals.
 - Ms. Witt noted receipt of similar correspondence.
 - Mr. Yenshaw noted receipt of routine correspondence.
 - Ms. Pasini, Mr. Moloney and Ms. McCormick noted receipt of same.
 - Mike Witt commented on staff email with blind copies and his desire to have the policy committee to review the practice.
- B. Superintendent
 - Nothing to report.

HOWELL HIGHLIGHTS AND HAPPENINGS

- No response.

REPORTS

- A. Student Representative to the Board
None
- B. Board Member Reports
Mr. Moloney reported on the Finance Committee and the Livingston County Association of School Boards meeting; Ms. Witt reported on the District School Improvement Committee and deferred to Mr. Pominville to report on the 21st Century Technology Committee.
- C. Flippen Group Professional Development
Ms. Cotton reported on the Flippen Group Professional Development for August, which will be paid for using 2013-14 grant funds.
- D. Cafeteria Services and Equipment Request
Ms. Lenard reported on the new whole grain snacks that will be offered to students in the fall and on the proposed interior design changes and request for equipment upgrades to the HWMS and Howell High School cafeterias.

MATTERS FOR DISCUSSION

- A. Summer Lunch Program at Challenger Elementary School
Two options for a summer lunch program at Challenger Elementary School was discussed: (1) HPS food service runs the entire program with no state reimbursement for this summer, or (2) HPS joins with the Salvation Army and they run the program at Challenger Elementary. HPS obligation with option two (2) is one (1) on-site manager for 3-4 hours per day; the Salvation Army

provides the rest of the work force. Future plans for the program were also discussed.

B. Budget Reductions

Changes in staff FTE's were discussed. Due to declining enrollment, administration is looking at eliminating 8.57 FTE's; this includes one (1) FTE at the high school, two and one-half (2.5) at Highlander Way MS, one (1) at Southwest Elementary, one (1) at Three Fires Elementary, one (1) at Northwest Elementary and two elementary counselors. Ms. Witt, Ms. Pasini and Mr. Witt voiced concern regarding the two elementary counselors.

#2013-187 Moved by Mr. Moloney, supported by Ms. McCormick that the reductions for 2014/15 include two (2) FTE's at the high school, six (6) FTE's at the middle school, and three (3) FTE's at the elementary level.

Roll Call Vote on #2013-187: Moore-No; Yenshaw-No; K. Witt-No; M. Witt-No; Moloney-Yes; McCormick-Yes; Pasini-No. Motioned failed 5-2.

#2013-188 Moved by Ms. Witt, supported by Ms. Pasini, that we staff at the superintendent's recommendation, and keep the elementary counselors.

Roll Call Vote on #2013-188: Moore-No; Yenshaw-Yes; K. Witt-Yes; M. Witt-Yes; Moloney-No; McCormick-No; Pasini-Yes. Motioned carried 4-3.

PUBLIC COMMENTS

- None

CONSENT ITEMS

#2013-189 Moved by Mr. Moore, supported by Ms. Witt that the board, upon the recommendation of the superintendent, approve the following consent items:

A. Change in Status of Employees

Approval of: *Resignation:* Hutchings Elementary School Instructional Assistant Lacie Steelmon, effective May 23, 2014. *Retirements:* Howell High School Teacher Margaret Breece, effective June 30, 2014, with 37 years of service; Parker Middle School Counselor Kathleen Gut, effective June 30, 2014, with 13 years of service.

Roll Call Vote on #2013-189: Moloney-Yes; Pasini-Yes; McCormick-Yes; M. Witt-Yes; Yenshaw-Yes; K. Witt-Yes; Moore-Yes. Motion carried 7-0.

ACTION ITEMS

A. Action Resulting from Student Hearing Case #101

#2013-190 Moved by Mr. Moore, supported by Ms. Witt that the student identified in Student Case #101 be readmitted to Howell Public Schools with the following conditions: (1) a parent initiated meeting during the first two (2) weeks of

school with the principal shall occur; (2) continued outside counseling and therapy as recommended by the student's psychologist along with written proof of attendance (provided to the principal) on a quarterly basis; (3) If the student attends HWMS, the parents agree to be responsible for transportation to and from school; and (4) Any additional instances of overt aggression and or physical contact shall result in further discipline up to and including expulsion.

Vote on #2013-190: Yes: Moloney, Pasini, McCormick, M. Witt, Yenshaw, K. Witt, Moore. Motion carried 7-0.

#2013-191 B. Approval of 2014-2015 MASB Membership Renewal
Moved by Mr. Yenshaw, supported by Ms. Witt that the board approve the 2014-2015 MASB membership renewal, as per Exhibit A of the official board minutes.

Vote on #2013-191: Yes: Pasini, McCormick, M. Witt, Yenshaw, K. Witt, Moore.
No: Moloney. Motion carried 6-1.

#2013-192 C. Approval of the Michigan High School Athletic Association (MHSAA) Membership Resolution
Moved by Mr. Moore, supported by Ms. Pasini that the board approve the MHSAA 2014-2015 Membership Resolution for the year August 1, 2014, through July 31, 2015, as per Exhibit B of the official board minutes.

Vote on #2013-192: Yes: Moloney, Pasini, McCormick, M. Witt, Yenshaw, K. Witt, Moore. Motion carried 7-0.

#2013-193 D. Approval of Flippen Group District by Design August Agreement
Moved by Ms. Pasini, supported by Ms. Witt that the board approve the Flippen Group District by Design Agreement for August in the amount of \$78,650, as per Exhibit C of the official board minutes.

Roll Call Vote on #2013-193: Moloney-No; Pasini-Yes; McCormick-No; M. Witt-Yes; Yenshaw-Yes; K. Witt-Yes; Moore-Yes. Motion carried 5-2.

#2013-194 E. Approval of Resolution to Appoint a Member to the Howell Carnegie District Library Board of Trustees
Moved by Mr. Moore, supported by Ms. Witt that the board approve the Resolution appointing Heather Aeschliman to the Howell Carnegie District Library Board of Trustees, as per Exhibit D of the official board minutes.

Vote on #2013-194: Yes: Moloney, Pasini, McCormick, M. Witt, Yenshaw, K. Witt, Moore. Motion carried 7-0.

- #2013-195 F. Approval of Nominee to LESA Parent Advisory Committee (PAC)
Moved by Mr. Moore, supported by Ms. Pasini that the board approve the re-appointment of Kim Witt for a three-year term as the Howell representative on the LESA PAC through June 30, 2017, as per Exhibit E of the official board minutes.
- Vote on #2013-195: Yes: Moloney, Pasini, McCormick, M. Witt, Yenshaw, K. Witt, Moore. Motion carried 7-0.
- #2013-196 G. Approval of the Planned Unit Development Agreement with Genoa Township
Moved by Ms. Pasini, supported by Mr. Yenshaw that the board approve the Planned Unit Development Agreement with Genoa Township regarding the Latson Elementary School property, as per Exhibit F of the official board minutes.
- Roll Vote on #2013-196: Yes: Moloney-No; Pasini-Yes; McCormick-No; M. Witt-Yes; Yenshaw-Yes; K. Wit-Yes; Moore-Yes. Motion carried 5-2.
- #2013-197 H. Approval of the 2014 Tax Rate Request
Moved by Mr. Moore, supported by Ms. Witt that the board approve the 2014 Tax Rate request for 18 mills non-homestead and 7.06 mills for the debt levy, as per Exhibit G of the official board minutes.
- Vote on #2013-197: Yes: Moloney, Pasini, McCormick, M. Witt, Yenshaw, K. Witt, Moore. Motion carried 7-0.
- #2013-198 I. Approval of Change in Paying Agent and Calculation Agent
Moved by Mr. Moore, supported by Ms. Witt that the board approve the change in Paying Agent and Calculation Agent for six of our bond issues to Huntington Bank, as per Exhibit H of the official board minutes.
- Vote on #2013-198: Yes: Moloney, Pasini, McCormick, M. Witt, Yenshaw, K. Witt, Moore. Motion carried 7-0.
- #2013-199 J. Approval of the Contract for District Photography Services
Moved by Mr. Yenshaw, supported by Ms. Witt that the board approve a three-year District photography contract with Lifetouch, as per Exhibit I of the official board minutes.
- Vote on #2013-199: Yes: Moloney, Pasini, McCormick, M. Witt, Yenshaw, K. Witt, Moore. Motion carried 7-0.
- K. Approval of Award of Bids for Cafeteria Equipment and Interior Design

#2013-200

Moved by Mr. Moloney, supported by Ms. McCormick that the board approve award of bids for equipment upgrades only to Highlander Way Middle School and Howell High School cafeterias to Stafford Smith at the bid price of \$117,651, per Exhibit J of the official board minutes, excluding the bid for interior design by Home Staging Productions.

Roll Call Vote on #2013-200: Moloney-Yes; Pasini-No; McCormick-Yes; M. Witt-Yes; Yenshaw-Yes; K. Witt-Yes; Moore-Yes. Motion carried 6-1.

#2013-201

L. Approval of Curriculum Course Adoption and Resource Adoption

Moved by Mr. Moloney, supported by Ms. Witt that the board approve a curriculum course adoption and resource adoption, which were approved for recommendation to the Board by the District Curriculum Council on May 29, 2014, as per Exhibit K of the official board minutes.

Vote on #2013-201: Yes: Moloney, Pasini, McCormick, M. Witt, Yenshaw, K. Witt, Moore. Motion carried 7-0.

#2013-202

M. Approval of the Renaissance Learning Contract

Moved by Mr. Moloney, supported by Mr. Moore that the board approve the Renaissance Learning Contract for Three Fires Elementary to purchase online resources for additional math support in the amount of \$10,626, using grant funds for this purchase, as per Exhibit L of the official board minutes.

Vote on #2013-202: Yes: Moloney, Pasini, McCormick, M. Witt, Yenshaw, K. Witt, Moore. Motion carried 7-0.

#2013-203

N. Action Resulting from Discussion Regarding the Summer Lunch Program at Challenger Elementary

Moved by Mr. Moore, supported by Ms. Witt that the board direct administration to support the summer lunch program with or without the Salvation Army.

Vote on #2013-203: Yes: Moloney, Pasini, McCormick, M. Witt, Yenshaw, K. Witt, Moore. Motion carried 7-0.

COMMENTS

Guests

- No response.

Board of Education

- Mr. Moloney commented that he attended graduation a few weeks ago and noted that the event gets more popular each year; extended his sympathies to the family of the young man who lost his life last Friday.

- Ms. Pasini commented that she also attend graduation and it was a great ceremony; extended her sympathies to the Inman family; thanked administrators for working through the staffing process and making sure we are doing what's best for kids.
- Ms. McCormick commented she was honored to participate in graduation ceremony and shared how this graduation compared to when her kids graduated; extended her condolences to the family of the student who lost his life.
- Ms. Witt commented that graduation was a huge success and there was a full house at MSU; extended her condolences to the Inman family; commented on putting kids first and pleased that we took action on the summer lunch program and keeping elementary counselors.
- Mr. Yenshaw commented that he shared the same sentiments that were expressed to the Inman family; welcomed HEA President Zach Kasprzak, and congratulated this year's retirees.
- Mr. Witt commented that graduation was wonderful and the senior all-night party was phenomenal and well attended; extended his condolences to the Inman family; commented that moving forward he would like to see a plan from the Director of PR on what we are doing to attract and recruit students, and would like to see enforcement of the Student/Parent Handbook especially the dress code at the high school.

Superintendent

- Superintendent Wilson extended his condolences to the Inman family; noted that the 2014 graduation had the largest attendance to date; in addition to attendees, 1466 viewers watched it live online and 1301 individuals watched the archived version; thanked Paul Pominville and his staff for streaming the graduation ceremony live on line and posting the video so it could be watched later.

ADJOURNMENT

The board meeting adjourned at 9:46 PM.

Kimberly A. Witt, Secretary
Board of Education

GENOA CHARTER TOWNSHIP BOARD
Regular Meeting
April 21, 2014

MINUTES

Supervisor McCririe called the regular meeting of the Genoa Charter Township Board to order at 6:30 p.m. The Pledge of Allegiance was then said. The following persons were present constituting a quorum for the transaction of business: Gary McCririe, Paulette Skolarus, Robin Hunt, Linda Rowell, Jim Mortensen, Todd Smith and Jean Ledford. Also present were Township Manager Michael Archinal and four persons in the audience.

A Call to the Public was made with no response.

Approval of Consent Agenda:

Moved by Smith and supported by Mortensen to approve the consent agenda moving the Minutes to the regular agenda for discussion. The motion passed

1. Payment of Bills.

Approval of Regular Agenda:

Moved by Hunt and supported by Mortensen to approve for action all items listed under the regular agenda. The motion passed.

2. Request to Approve Minutes: April 21, 2014

Moved by hunt and supported by Smith to approve the April 21, 2014 minutes as presented. Further, Attorney Mancuso will be asked to review the passing of the motion without naming those who voted for or against. The motion passed.

3. Request for approval of the 2014-2015 Proposed Budget for the Howell Area Parks and Recreation Authority.

Moved by Smith and supported by Rowell to approve the proposed budget for Howell Parks and Recreation as submitted. The motion passed.

4. Introduction for a proposed rezoning of 14.57 acres of property (Ordinance Z-14-01) located at 1201 S. Latson Road (4711-09-100-036) from Rural Residential (RR) to Non-Residential Planned Unit Development (NR-PUD) and authorization of statutory notice for a public hearing on May 5, 2014.

Moved by Smith and supported by Rowell to introduce the proposed ordinance and to set a public hearing before the Township Board on Monday, May 5, 2014 for the purpose of considering the proposed zoning map amendment (Z-14-01) which involves the rezoning of 14.57 acres of land located at 2101 S. Latson Road (Parcel 4711-09-100-036) from rural Residential (RR) to Non-Residential (NR-PUD) for property also identified as the Latson Road Elementary School. The motion passed.

The regular meeting of the Genoa Charter Township Board was adjourned at 6:45 p.m.

Paulette A. Skolarus, Clerk
Genoa Charter Township

(Press argus04 25 2014)



2911 Dorr Road
Brighton, MI 48116
810 227 5225
810 227 3420 fax
genoa.org

MEMORANDUM

TO: Honorable Board of Trustees

FROM: Kelly VanMarter, Assistant Township Manager/Community Development Director

DATE: April 30, 2014

RE: Howell Public Schools/Latson Road Elementary Rezoning Ordinance No. Z-14-01

MANAGERS REVIEW: 

Township staff have been working with Howell Public Schools to finalize rezoning of the Latson Elementary School as required by Agreements made during right-of-way negotiations for the Latson Road Interchange project. The rezoning has been recommended for approval by the Township Planning Commission on 3/10/14 and by the Livingston County Planning Commission on 4/16/14. Township staff and the schools have proceeded in good faith towards completion of the rezoning in compliance with the Agreements made by the respective Boards. Since the Board set the hearing date at the last meeting the schools have requested additional consideration in the PUD Agreement which staff is unable to support. The schools are requesting that the Township agree to support the retention of the north driveway curb cut if approved by the Livingston County Road Commission.

In consideration of our inability to come to terms prior to the Board hearing on Monday, May 5th, I would like to request your consideration of the following action:

- 1) Open and close the Public Hearing to meet the ordinance requirements.
- 2) Consider the schools request for language in the PUD Agreement that would allow the north driveway to remain.
- 3) Take action to either:
 - a) Approve the request if the Board agrees with the language requested by the Schools.
 - b) Deny the request as recommended by Genoa counsel in their letter dated 04/29/14.
 - c) Adjourn the hearing to a specified future meeting date in hopes that an agreement can be reached.

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archina

TRUSTEES

H. James Matthews

Jean W. Ledford

Todd W. Smith

Linda Rowell


Given the effort and costs associated with getting the project to this point, It is my recommendation that the Board adjourn disposition to a future meeting date. As required by Section 10.04.01(f) of the Zoning Ordinance specified in regard to the PUD portion of the petition, the Township has 90 days following receipt of the Township and County Planning Commission recommendations to approve, deny, or approve with conditions the proposed PUD. The 90-day requirement of the Ordinance would give the schools and the Board until July 16th, 2014 to act on the terms of the PUD.

In the above regard, it is my request that you please consider the following action:

Moved by _____, supported by _____ to adjourn to the July 7th, 2014 meeting the request for approval of rezoning, PUD agreement, impact assessment, conceptual PUD plan and adoption of Ordinance #Z-14-01 to amend the zoning map of Genoa Charter Township by rezoning approximately 14.57 acres in Section 09, located at 1201 S. Latson Road (former Latson Road Elementary School), Howell, #4711-09-100-036. The requested rezoning is from Rural Residential (RR) to Non-Residential Planned Unit Development (NR-PUD), and is petitioned by Howell Public Schools and Genoa Charter Township.

Unless my daughter chooses to make an early arrival, I intend to be present at your meeting on Monday to discuss this case and answer any questions you may have. In addition I welcome your comments and questions in advance of the meeting.

Most sincerely,

A handwritten signature in cursive script that reads "Kelly VanMarter". The signature is written in dark ink and is positioned above the printed name.

Kelly VanMarter

MANCUSO & CAMERON, P.C.

ATTORNEYS AND COUNSELORS

FRANK I. MANCUSO, JR.

DOUGLAS D. CAMERON

VICTORIA L. LESNER

April 29, 2014

Sent via e-mail only: gvanwieren@thrunlaw.com

Gordon VanWieren
Thrun Law Firm, PC
2900 West Road, Suite 400
P.O. Box 2575
East Lansing, MI 48826

RE: Latson Elementary PUD
Genoa Charter Township

Dear Mr. VanWieren:

Today I was informed that the Board of Education of Howell Public Schools continues to insist that the existing North Driveway of the former Latson Elementary School Property remain and that this issue be addressed in the Planned Unit Development Agreement for Former Latson Elementary School Property (the "PUD Agreement"). You have proposed the inclusion a new Section 3.2.D in the PUD Agreement to address this issue. As we have discussed, this issue was not addressed in the Real Property Benefits Agreement and is also contrary to Section 15.06 of the Genoa Township Zoning Ordinance (which can be found at: <http://www.genoa.org/government/ordinances/ordinance-zoning>).

I previously advised you that the Board will be conducting a public hearing at its May 5, 2014 regular meeting and will be considering a Motion to rezone the property consistent with the Real Property Benefits Agreement and the proposed PUD Agreement. However, since the parties cannot agree on the terms of the PUD Agreement, my recommendation to the Board is going to be to deny the rezoning request until the parties can agree on the terms of the PUD Agreement.

If you should have any questions, please let me know.

Sincerely,

MANCUSO & CAMERON, PC



Frank J. Mancuso, Jr.

FJM/kdl

Copy: Gary McCrie
Mike Archinal
Kelly VanMarter

From: Terres, Rick <terresr@howellschools.com>
Sent: Friday, April 25, 2014 11:49 AM
To: Kelly VanMarter
Cc: gvanwieren@thrunlaw.com
Subject: Re: FW: Howell Schools PUD/Genoa

Kelly, Thanks for the response. I to understand the township's position. I may pull this off the agenda until we can discuss further.

On Fri, Apr 25, 2014 at 11:42 AM, Kelly VanMarter <Kelly@genoa.org> wrote:
Rick,

I have been mulling this over and have discussed with staff and consultants the option of adding language to the PUD Agreement that would indicate Township support following LCRC approval in regard to the north driveway on the Latson Elementary School site. Unfortunately, I'm afraid that as much as I'd love to reach an agreement, I regret this is not something that we can support.

The Township's development standards and approval process is firmly established and requires that all site design elements (including access management) are first vetted and approved by the Township prior to seeking LCRC approval and I cannot disregard my fiduciary responsibility by reversing this process. I understand and appreciate the position of your Board, but I am not sure that this is the proper time to request additional items over and above those set in the Benefits Agreement.

The Agreement states that the Township will rezone the property in conformance with the Agreement. If the Schools want additional items included than I think the Agreement will need to be re-opened and I'm not sure how to even begin that discussion or process. At this point I think it may be best to have the Attorney's work together on a solution. I've copied the Township Attorney on this e-mail and will direct him to work with Mr. VanWieren on proper process to move forward.

Please let me know if there is anything additional I can do. There is nothing I'd like more than to reach an agreement so that we can rezone this property and start entertaining requests for development on this parcel.

Sincerely,

Kelly VanMarter, AICP
Assistant Township Manager/Community Development Director



Genoa Charter Township
2911 Dorr Road, Brighton, Michigan 48116
Direct: (810) 588-6900, Phone: (810) 227-5225, Fax: (810) 227-3420
E-mail: kelly@genoa.org, Url: www.genoa.org



From: Terres, Rick [mailto:terresr@howellschools.com]
Sent: Friday, April 25, 2014 11:14 AM

To: Kelly VanMarter
Subject: Re: FW: Howell Schools PUD/Genoa

Any further thoughts from our discussion yesterday (LCRC)

On Tue, Apr 22, 2014 at 4:14 PM, Kelly VanMarter <Kelly@genoa.org> wrote:
Rick,

The Township would also have a say in the driveway location during the site plan approval process and pursuant to our Access Management Ordinance so I am not comfortable keeping the last sentence and removing the others. The Township cannot agree to allow retention of a driveway that may potentially be unsafe to the motoring public.

Some thoughts:

- 1.) Remove 3.1 and 3.2(D) altogether. This way HPS won't feel restricted by 3.1 and the Township will not have to commit to attempt to retain an access that may be dangerous.
- 2.) Add a statement that would require a traffic study to determine if utilization of the driveway is safe. Something like this perhaps:

D. The Township recognizes that ~~and~~ HPS is desirous ~~will attempt~~ to retain the current access to Latson Road located at the North end of the Property. The parties acknowledge, however, that in order to do so, a traffic study will need to be provided which determines that the driveway complies with the Access Management standards of both Genoa Charter Township and the Livingston County Road Commission. ~~Township will require Prentis Estates Apartments to vacate its existing driveway (located to the north of the District Property) and to agree to use HPS' north driveway as a shared driveway for ingress and egress to the Prentis Estates Apartment complex.~~ The parties acknowledge that the Livingston County Road Commission has the final decision of whether to allow said north driveway to remain open or not.

I'm sure the Attorney's will have some comments, but I wanted to get this over to you so we could talk about it. I'm open to other suggestions too....just let me know.

Kelly VanMarter, AICP
Assistant Township Manager/Community Development Director



Genoa Charter Township
2911 Dorr Road, Brighton, Michigan 48116
Direct: [\(810\) 588-6900](tel:(810)588-6900), Phone: [\(810\) 227-5225](tel:(810)227-5225), Fax: [\(810\) 227-3420](tel:(810)227-3420)
E-mail: kelly@genoa.org, Url: www.genoa.org



From: Terres, Rick [<mailto:terresr@howellschools.com>]
Sent: Tuesday, April 22, 2014 8:33 AM
To: Kelly VanMarter

Subject: Fwd: FW: Howell Schools PUD/Genoa

Kelly, Per my phone message I think our BOE may be OK with Sec. 3.2 D. if we simply retain the first and last sentence. The reality is that the LCRC has the final say anyway. Your thoughts?

----- Forwarded message -----

From: Gordon W. VanWieren <GVanWieren@thrunlaw.com>
Date: Mon, Apr 21, 2014 at 4:13 PM
Subject: FW: Howell Schools PUD/Genoa
To: "Terres, Rick" <terresr@howellschools.com>

Rick ,
Please call me .
Thanks ,
Gordie

Gordon W. VanWieren, Attorney
Thrun Law Firm, P.C.
Phone [517.374.8843](tel:517.374.8843) - Fax [517.484.0041](tel:517.484.0041)
gvanwieren@thrunlaw.com – www.thrunlaw.com

P.O. Box 2575
East Lansing, MI 48826
For deliveries only:
2900 West Road, Suite 400
East Lansing, MI 48823

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From: Frank Mancuso [<mailto:frank@mancusocameronlaw.com>]
Sent: Monday, April 21, 2014 3:51 PM
To: Gordon W. VanWieren
Cc: Kelly VanMarter
Subject: Howell Schools PUD/Genoa

Gordon:

Please review my changes to your last version of the PUD Agreement (Sections 1.5D and 3.2D). As we discussed, tonight's meeting is to introduce the proposed rezoning. No board action will take place at tonight's meeting other than to set this item for a public hearing on May 5th. If we are close to having a final agreement, I would suggest that we allow the introduction to move forward at tonight's board meeting.

Regards,

Frank J. Mancuso, Jr.
Mancuso & Cameron, P.C.
722 E. Grand River Ave.
Brighton, MI 48116
Ph: [\(810\) 225-3300](tel:(810)225-3300)
Fax: [\(810\) 225-9110](tel:(810)225-9110)

East Lansing, MI 48823

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From: Frank Mancuso [mailto:frank@mancusocameronlaw.com]
Sent: Monday, April 21, 2014 3:51 PM
To: Gordon W. VanWleren
Cc: Kelly VanMarter
Subject: Howell Schools PUD/Genoa

Gordon:

Please review my changes to your last version of the PUD Agreement (Sections 1.5D and 3.2D). As we discussed, tonight's meeting is to introduce the proposed rezoning. No board action will take place at tonight's meeting other than to set this item for a public hearing on May 5th. If we are close to having a final agreement, I would suggest that we allow the introduction to move forward at tonight's board meeting.

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ORDINANCE NO. Z-14-01

AN ORDINANCE ENTITLED AN ORDINANCE TO AMEND THE ZONING MAP OF THE CHARTER TOWNSHIP OF GENOA BY REZONING 14.57 ACRES OF LAND LOCATED AT 1201 S. LATSON ROAD (4711-09-100-036) FROM RURAL RESIDENTIAL (RR) TO NON-RESIDENTIAL PLANNED UNIT DEVELOPMENT (NR-PUD)

THE CHARTER TOWNSHIP OF GENOA HEREBY ORDAINS that the Zoning Map, as incorporated by reference in the Charter Township of Genoa's Zoning Ordinance, is hereby amended as follows:

Real property situated at the northeast corner of S. Latson Road and the westbound off-ramp for I-96 at Exit #140 which is part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Charter Township, Livingston County, Michigan, more particularly described as follows:

Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Latson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence along the existing centerline of Latson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 627.95 feet, said point being the following course from the Northwest Corner of Section 9; along the existing centerline of Latson Road and West line of Section 9, S 01°46'12" E (recorded as S 02°33'37" E), 718.36 feet; thence N 88°08'18" E (recorded as N 87°20'53" E), 700.00 feet; thence S 01°46'12" E (recorded as S 02°33'37" E), 995.34 feet; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) N 74°17'55" W, 134.50 feet (recorded as 134.45 feet); 2) N 80°34'02" W, 243.16 feet; 3) N 88°29'51" W, 222.00 feet; 4) N 45°07'09" W, 114.42 feet; 5) N 01°46'12" W, 182.00 feet; thence S 89°34'04" W, 33.00 feet, to the POINT OF BEGINNING, containing 14.57 acres, more or less, and including the use of Latson Road.

Shall be rezoned from RR (Rural Residential) to NR-PUD (Non-Residential Planned Unit Development) Classification.

Severability If any provision of this Ordinance is found to be invalid, than the remaining portions of this Ordinance shall remain enforceable.

Effective Date This Ordinance shall be effective upon publication in a newspaper of general circulation as required by law.

On the motion to adopt the Ordinance the following vote was recorded:

Yeas:

Nays:

Absent:

I hereby approve the adoption of the foregoing Ordinance this ____ day of _____, 2014.

Paulette Skolarus
Township Clerk

Gary McCririe
Township Supervisor

Township Board First Reading April 21, 2014
Date of Publication of Proposed Ordinance April 27, 2014
Township Board Second Reading and Adoption proposed May 5, 2014
Date of Publication of Ordinance Adoption proposed May 9, 2014
Effective Date proposed May 9, 2014

STATE OF MICHIGAN
COUNTY OF LIVINGSTON
GENOA CHARTER TOWNSHIP

**PLANNED UNIT DEVELOPMENT AGREEMENT FOR FORMER LATSON ELEMENTARY
SCHOOL PROPERTY**

THIS PLANNED UNIT DEVELOPMENT AGREEMENT is made and entered into on this ____ day of _____, 2014, by **Howell Public Schools**, a Michigan general powers school district, whose address is 411 N. Highlander Way, Suite C, Howell Michigan 48843 (referred to as "HPS") and **Genoa Charter Township**, a Michigan municipal corporation, whose address is 2911 Dorr Road, Brighton, Michigan referred to as "Township").

RECITATIONS:

The HPS possesses fee title to certain real property situated in the Genoa Charter Township, County of Livingston, and State of Michigan, more particularly described in Exhibit A, (referred to as "Property").

The recent completion of the adjacent Latson Road interchange required a portion of the previous Latson Elementary School site, which was agreed upon by HPS and Township in a Real Property Benefits Agreement, dated April 10, 2012, (Exhibit F). In this agreement, the remainder of the parcel was agreed to by both parties to be developed as a Non-residential PUD. This follows the Master Plan future land use designation of this Property as regional commercial. These uses will complement nearby commercial uses and future uses that will arise from the newly created demand of the interchange.

HPS has a preferred concept plan (Exhibit B), but also includes two additional concepts that are variants of the preferred plan (Exhibits B-1 and B-2). Any of these three concepts may be considered upon securing a developer for the property.

The Township Planning Commission and Township Board, in strict compliance with the Township Zoning Ordinance and with Act 110 of the Public Acts of 2006, as amended, reclassified the Property as Non-Residential Planned Unit Development District, finding that such classification properly achieves the purpose of Article 10 of the Genoa Township Zoning Ordinance, including the encouragement of innovation in land use, the preservation of open space in areas adjacent to S. Latson Road and properties to the north and east in order to achieve compatibility with adjacent land uses, the promotion of efficient provision of public services and utilities, the reduction of adverse traffic impacts, and the provision of adequate employment. Further the Township Planning Commission and Township Board find the Non-Residential Planned Unit Development District and the PUD Plan are consistent with the Township Master Plan.

The Township has found and concluded that the uses and future development plans for the Property and conditions shown on the approved PUD Concept Plan, attached as Exhibit B ("PUD Plan"), are reasonable and promote the public health, safety, and welfare of the Township, and that they are consistent with the plans and objectives of the Township and consistent with surrounding uses of land.

NOW, THEREFORE, OWNER AND TOWNSHIP, in consideration of the mutual promises contained in the Agreement, HEREBY AGREE AS FOLLOWS:

ARTICLE I. GENERAL TERMS OF AGREEMENT

- 1.1 The Township and HPS acknowledge and represent that the recitations set forth above are true, accurate, and binding.

04-21-14 Draft

(Incorporates comments by G. VanWieren in red and F. Mancuso in green).

- 1.2 The Township acknowledges and represents that this Agreement may be relied upon for future land use and development of the Property by HPS's successors, assigns, and transferees.
- 1.3 The PUD Concept Plan, attached as Exhibit B, (or Exhibits B-1 and B-2), has been duly approved by the Township in accordance with all applicable Township ordinances, and depicts the land uses which will be permitted and which may be developed on the Property. All formal actions necessary or expedient to carry out this Agreement shall be taken by the parties without undue delay consistent with the Township's ordinances and policies.
- 1.4 Except as specifically provided for in this Agreement, final site plans will comply with applicable Zoning Ordinance requirements. However, at the time of review of respective site plans for the development of various portions of the Property, deviations from ordinance regulations may be agreed upon by the Township and HPS. Changes to the PUD Concept Plan or PUD Agreement will be processed as outlined in the Zoning Ordinance.
- 1.5 The PUD Plan identifies the location and configuration of the authorized land uses that may be developed on the Property, except as noted in 1.3 above.
- A. All uses authorized as permitted or as may be authorized by special land use are defined in Exhibit C.
 - B. HPS shall be permitted to create parcels and to adjust the size and shape of such parcels, provided the creation or adjustment does not alter the land use designation for any area of the Property or substantially increase the intensity and/or density of use. Modifications shall be comparable to the alternative Concept Plans (Exhibits B, B-1 and B-2). All development shall be subject to Final PUD Site Plan and land division (if necessary) approval. In addition:
 - 1. HPS shall not be entitled to make a modification which substantially increases the impact upon adjoining properties or facilities without the approval of Township.
 - 2. HPS may make other changes consistent with the provisions of Article 10 of the Township's Zoning Ordinance.
 - C. The sizes of the various parcels within the land use designations shall be subject to modification under the applicable regulations of the Zoning Ordinance and state law.
- 1.6 This Agreement, including the uses approved on the PUD Plan, are for the benefit of the Property, and shall run with the Property, and shall bind and inure to the benefit of the successors, assigns and transferees of the parties to this Agreement.

ARTICLE II. LAND USE AUTHORIZATION

- 2.1 The Planned Unit Development shall include a land use authorization for the uses agreed upon by HPS and Township as listed in Exhibit C.
- 2.2 No construction shall be permitted until HPS has received final site plan approval in accordance with Genoa Township ordinances. If the Property is divided into parcels,

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(Incorporates comments by G. VanWieren in red and F. Mancuso in green)

more detailed planning for the development of the Property may be undertaken on a parcel-by-parcel basis, subject to the intent and obligation to coordinate development of the Property as a whole, as specified hereinafter. HPS, as dictated by HPS's transferees, shall determine the timing and order of development subject to the Township's Zoning Ordinance. At the time HPS, and the HPS's assigns and transferees, are prepared to develop each portion or phase of the Property, a plan prepared in the form required by applicable ordinance and law, including impact assessments required by the Township, and consistent with this Agreement, shall be submitted for review and approval. The Township shall review each of such plans within a reasonable time. Site plan and other review requirements shall not be subject to any subsequent enactments or amendments of the Zoning Ordinance which are inconsistent with this Agreement unless the concept plan as set forth herein is materially altered at the request of HPS or its successors and assigns. Provided however, the PUD Concept Plan attached as Exhibit B is also approved as described herein.

- 2.3 If a use authorized under Exhibit C as a special land use is proposed on the Property, such use must be applied for and authorized as provided in the Zoning Ordinance. No storage of trucks, trailers or similar delivery vehicles or containers shall be stored on site for more than twenty-four (24) hours unless they are being actively loaded or unloaded.
- 2.5 A minimum 15% of the site shall be open space as agreed to in Exhibit D. This requires a deviation from 25% as defined in Article 10 of the Zoning Ordinance. Open space is defined as undisturbed areas of key natural features, detention ponds, landscaped areas or plazas. Detention areas shall comprise no more than 50% of the required open space.
- 2.7 Notwithstanding the current code, the principal structure and parking lot must be set back in accordance with Exhibit B. There shall be only one automobile service station allowed.

ARTICLE III. CURB CUTS AND OFF-SITE TRANSPORTATION IMPROVEMENTS

- 3.1 The establishment of curb cuts and driveways to public thoroughfares from the PUD Property shall be limited and restricted for the purpose of reducing the number of turning movements to and from the Property.
- 3.2 Off-Site Improvements in Public Right of Way.
 - A. **Traffic Signal.** The Township acknowledges that the Livingston County Road Commission ("LCRC") will provide, at its cost, a traffic signal which will permit the efficient flow of vehicular traffic to and from the Property and Latson Road. The Township will cooperate with the LCRC and HPS (or its successors, as applicable) for the installation of said traffic signal. The LCRC shall install the traffic signal as set forth in the Livingston County Road Commission - RGL Howell, LLC and GCG Howell, LLC Agreement to Transfer Property dated August 30, 2011 (the "Agreement to Transfer"), or at such time a site plan is approved for any portion of the Remaining Parcel provided that HPS, or its successors, reach an agreement with the LCRC.
 - B. **Improvement of Intersection.** The Parties agree that the costs of the acceleration and deceleration lanes are the obligation of MDOT up to the "spring lines" on the North side of the Interchange. The costs of the "extension" of these lanes will be subject to further negotiation between MDOT and LCRC. It is understood that

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(Incorporates comments by G. VanWieren in red and F. Mancuso in green).

although HPS and its successors and assigns will be permitted to have a voice at the preconstruction meetings, HPS will not be empowered to vote on any final decisions. It is further understood by the Parties that HPS, its successors and assigns and/or other occupants of the Property will be required, at their expense, to perform a limited traffic study to determine the length of the acceleration/deceleration lanes.

- C. Entryway to Property. The Township represents and warrants that it will obtain LCRC's consent that the width of the entryway to the Property at the Latson Road intersection where the traffic signal is located not be less than the width of Grand Oaks Drive and the density of the Remaining Parcel will not be reduced by the width of the entryway drive.
- D. The Township and the District HPS will attempt to both agree to use their "best efforts" to retain the current access to Latson Road located at the North end of the Property. The parties acknowledge, however, that in order to do so, the Township will require Prentis Estates Apartments to vacate its existing driveway (located to the north of the District Property) and to agree to use HPS' north driveway as a shared driveway for ingress and egress to the Prentis Estates Apartment complex. HPS agrees to grant all necessary easements for this purpose. The parties acknowledge that the Livingston County Road Commission has the final decision of whether to allow said north driveway to remain open or not.

ARTICLE IV. INTERNAL ROAD NETWORK

- 4.1 Internal access shall be established between the various uses and buildings as generally shown in Exhibit B (or B-1 or B-2, as applicable).

ARTICLE V. DRAINAGE

- 5.1 The on-site drainage system will be built by HPS or its assigns following review and approval by the Township Engineer and Livingston County Drain Commissioner.

ARTICLE VI. SITE IMPROVEMENTS

- 6.1 There shall be a coordination of site improvements within the overall Property, with the objective of creating site improvements that are integrated and mutually supportive among the respective portions or phases of the development, including the utilities, landscaping and lighting.
- 6.2 A pedestrian network shall be constructed by HPS or its assigns on the east side of Latson, per Township standards.
- 6.3 Development shall be undertaken with underground electrical service to the buildings on the Property. Public utility lines in existing or future easements shall be permitted overhead so long as the buildings are serviced from underground.
- 6.4 The following site elements shall be provided:

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(Incorporates comments by G. VanWieren in red and F. Mancuso in green).

- A. Site design and landscaping shall diminish the prominence of parking lots as viewed from public streets.
- B. Extensive greenways and tree-lined drives shall be within parking lots and throughout the site to improve traffic operations and views
- C. Landscaping shall include all required plantings pursuant to section 12.02 of the Zoning Ordinance and as shown on the approved final PUD site plan.
- E. Ornamental lighting shall be provided along Latson Road right of ways consistent with other recent developments along the roadway.
- F. Ongoing maintenance and repair or replacement of site design elements, such as common landscaping, lighting, and joint freestanding signage shall be maintained by either the developer, or a lot owner, or association.
- G. The parking lot configuration, sizes and quantities of stalls, shall be accepted as shown on a final site plan as approved by the Township.

ARTICLE VII. DESIGN OF BUILDING AND SIGNS

- 7.1 The architecture, building materials, colors and shapes of all buildings shall be in substantial conformity with the guidelines set forth in the Genoa Township Zoning Ordinance, as adopted, and as it may be amended. It is the intention of the parties to promote and encourage a development that incorporates varying building lines, natural earth tone construction materials and other elements contemplated to upgrade the appearance of the development overall in the interest of making it aesthetically pleasing. Flat front roof facades shall be discouraged. Large walls shall include varying building lines, setbacks, color accents, windows or other elements to upgrade appearance. Each site plan will include a narrative or illustration(s) that demonstrates the design will be consistent with, or complement architecture of the other sites. Buildings shall utilize high quality architecture with variable building lines, peaked roofs and architectural accents. Brick facades or tilt up panels with brick shaped forms or other natural materials (i.e., brick, stone, etc.) shall be used for certain building faces.
- Other materials may be used for architectural accents provided such materials shall have the appearance of cut or cast stone or stucco. Out parcel buildings shall have wall surfaces with at least eighty percent (80%) natural materials (i.e., brick, stone, etc.).
- 7.2 Signage: Freestanding signs for individual lots within the PUD shall be ground mounted (monument) signs. No pole signs shall be permitted. All freestanding signs shall have a base constructed of materials that coordinate and are not inconsistent with the building, and other signs within the PUD. In addition, there shall be permitted one highway sign, such sign shall be a maximum of 200 square feet, shall not exceed thirty (30) feet in height and shall be permitted to advertise users in the project. Each individual lot within the PUD shall be limited to monument signs no taller than 6 feet and no larger than 72 square feet in area. All wall signs shall have channel lettering or individual letters (not panels). All freestanding lighted signs shall be internally lit. Additional wall, highway and other signs shall be permitted as authorized in the Zoning Ordinance.
- 7.3 Landscaping and site lighting: The landscaping within the PUD shall demonstrate consistency in terms of design and materials. Generally, site lighting shall be a uniform

type and color. All ornamental lighting shall be of the same style as nearby non-residential PUDs.

ARTICLE VIII. UTILITIES

- 8.1 Capacity. The Township represents and warrants that the capacity is available for water and sanitary sewer for any future development of the Property at no cost to HPS its successors and assigns.
- 8.2 Residential Equivalent Units ("REUs") for Sanitary Sewer and Water. The Township acknowledges that the Property currently has 22 residential equivalent units (REUs) for sanitary sewer and 20 REUs for water and may be utilized by the District, its successors and assigns, for the future development of the Property. In addition, the Township agrees to provide an additional five (5) REUs for sanitary sewer and seven (7) REUs for water, at no cost, which additional REUs can be utilized by HPS, its successors and assigns, for the future development of the Property. The Township represents and warrants that any additional REUs needed by HPS, its successors and assigns, for the future development of the Property shall be priced at the current 2012 pricing of \$5,000 per REU for water and \$5,500 per REU for sanitary sewer. HPS agrees that all REUs described in this paragraph are only assignable to a successor in title or interest of the Property.
- 8.3 No Other Fees. Other than the REU fees stated above, there are currently no additional connection or capital fees charged by the Township. Other than the fees set forth in subparagraph 8.2 above, no other connection fees shall be imposed upon HPS, its successor and assigns with regard to the Property. In addition, the Township represents and agrees that the existing 15" gravity sewer on Grand River is at capacity and the Township shall not impose any additional costs on HPS related to increasing the capacity of the Grand River sewer to serve the Property and that the Grand River sewer is the only present sewer capacity constraint for the Property. Notwithstanding the above and except as provided in subparagraph 8.1 above, the Remaining Parcel shall not be exempted from charges for any sewer system upgrades that benefit the system and are borne on a pro-rata basis by the users of the system. Notwithstanding the foregoing, HPS, its successors and assigns will be subject to fees required for engineering, inspection and fees imposed by other local units of government for the Property.

ARTICLE IX. MISCELLANEOUS

- 9.1 This Agreement may not be modified, replaced, amended or terminated without the prior written consent of the parties to this Agreement, which consent shall not be unreasonably withheld. HPS and the Township shall be entitled to modify, replace or amend this Agreement without the consent of any other person or entity, regardless of whether such person or entity now or hereafter has any interest in any part of the Property, including subsequent purchasers, or their tenants, mortgagees, or others.
- 9.2 Reference in this Agreement to activities by HPS in relation to development is intended to include HPS's transferees and assigns unless context dictates to the contrary.
- 9.3 In the event of any direct conflict between the specific terms and provisions of this Agreement (including the attached PUD Plan), the provisions of the Real Property Benefits Agreement between the parties dated April 10, 2012, the Agreement to Transfer Real Property between the parties, dated March 26, 2012, the provisions of the Zoning Ordinance, or other Township ordinances, rules or regulations, order of priority shall be: (1) the terms of the Real Property Benefits Agreement; (2) this Agreement; (3) the

04-21-14 Draft

(incorporates comments by G. VanWieren in red and F. Mancuso in green).

Agreement to Transfer Real Property; and (4) the Township's Zoning Ordinance or other Township ordinances, rules or regulations.

- 9.4 In the event a portion of the Property is submitted for site plan approval, and such approval is denied, the party submitting such site plan shall be entitled to appeal such decision to the Zoning Board of Appeals as provided by law, and all parties shall agree to proceed expeditiously to final resolution.
- 9.5 The undersigned parties acknowledge that the conditions imposed upon the development of the property are reasonable conditions necessary to ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Further, it is acknowledged that the conditions meet all of the requirements of MSA 5.2963(16d)(2)(a)(b) and (c).
- 9.6 Until the Property is fully developed, each site plan applicant shall be responsible following Township approval of the respective site plan, plat and/or site condominium presented to the Township to superimpose the approved plan of development upon the overall PUD plan to clearly illustrate the final development plan for each portion of the Property.
- 9.7 Minimum dimensional standards shall be as described in Exhibit C.

Exhibit List

- Exhibit A: Cover/Existing Conditions Sheet
- Exhibit B: PUD Concept Plan
- Exhibit B-1: Concept Plan Option B
- Exhibit B-2: Concept Plan Option C
- Exhibit B-3: Concept Plans Programming Detail
- Exhibit C: Use Table
- Exhibit D: Real Property Agreement (dated 4-10-12)
- Exhibit E: Survey (dated 4-25-12)
- Exhibit F: Design Guidelines for Interchange Commercial from Master Plan

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04-21-14 Draft

(Incorporates comments by G. VanWieren in red and F. Mancuso in green).

GENOA CHARTER TOWNSHIP BOARD

Regular Meeting

April 21, 2014

MINUTES

Supervisor McCririe called the regular meeting of the Genoa Charter Township Board to order at 6:30 p.m. The Pledge of Allegiance was then said. The following persons were present constituting a quorum for the transaction of business: Gary McCririe, Paulette Skolarus, Robin Hunt, Linda Rowell, Jim Mortensen, Todd Smith and Jean Ledford. Also present were Township Manager Michael Archinal and four persons in the audience.

A Call to the Public was made with no response.

Approval of Consent Agenda:

Moved by Smith and supported by Mortensen to approve the consent agenda moving the Minutes to the regular agenda for discussion. The motion passed

1. Payment of Bills.

Approval of Regular Agenda:

Moved by Hunt and supported by Mortensen to approve for action all items listed under the regular agenda. The motion passed.

2. Request to Approve Minutes: April 21, 2014

Moved by hunt and supported by Smith to approve the April 21, 2014 minutes as presented. Further, Attorney Mancuso will be asked to review the passing of the motion without naming those who voted for or against. The motion passed.

3. Request for approval of the 2014-2015 Proposed Budget for the Howell Area Parks and Recreation Authority.

Moved by Smith and supported by Rowell to approve the proposed budget for Howell Parks and Recreation as submitted. The motion passed.

4. Introduction for a proposed rezoning of 14.57 acres of property (Ordinance Z-14-01) located at 1201 S. Latson Road (4711-09-100-036) from Rural Residential (RR) to Non-Residential Planned Unit Development (NR-PUD) and authorization of statutory notice for a public hearing on May 5, 2014.

Moved by Smith and supported by Rowell to introduce the proposed ordinance and to set a public hearing before the Township Board on Monday, May 5, 2014 for the purpose of considering the proposed zoning map amendment (Z-14-01) which involves the rezoning of 14.57 acres of land located at 2101 S. Latson Road (Parcel 4711-09-100-036) from rural Residential (RR) to Non-Residential (NR-PUD) for property also identified as the Latson Road Elementary School. The motion passed.

The regular meeting of the Genoa Charter Township Board was adjourned at 6:45 p.m.

Paulette A, Skolarus, Clerk
Genoa Charter Township

(Press/argus04/25/2014)

**BOARD OF TRUSTEES
GENOA CHARTER TOWNSHIP
LIVINGSTON COUNTY,
MICHIGAN**

**NOTICE OF PROPOSED ZONING
MAP AMENDMENT
MAY 5, 2014**

Pursuant to Michigan Public Act 359 of 1947, (the Charter Township Act), notice is hereby given that the Genoa Charter Township Board will be considering an ordinance to amend the zoning map of the Charter Township of Genoa at 8:30 p.m. on Monday, May 5, 2014. The property proposed for rezoning is approximately 14.57 acres in Section 09, located at 1201 S. Latson Road, being Parcel No. 4711 09-100-038 and is requested to be rezoned from Rural Residential (RR) to Non-Residential Planned Unit Development (NR PUD). The complete text of the proposed ordinance is available for public inspection at the Township Hall located at 2911 Dorr Road, Brighton, Michigan 48116, Monday through Friday from 9:00a.m. to 5:00p.m.

Genoa Charter Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon seven (7) days notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township in writing or by calling at (810) 227-5225.

**POLLY SKOLARUS
TOWNSHIP CLERK**

(04 27-2014 DAILY 192414)

ZONING/MASTER PLAN AMENDMENT FORM

Livingston County Planning Commission, 304 East Grand River, Suite 206, Howell, MI 48843-2323

TOWNSHIP CASE NUMBER 14-01 COUNTY CASE NUMBER Z-17-14

The Genoa Township Planning Commission is submitting the following amendment for review and comment.

REZONING (MAP AMENDMENT) Property description and location (attach a map of the proposed amendment as required by law).

Size: 14.57 acres Property tax identifier: 4711-09-100-036
Location: 1201 S. Latson Rd, Howell
Existing Zoning District is: Rural Residential Proposed Zoning District: Non-Residential PUD
Name of Petitioner: Howell Public Schools/Genoa Township Name of Property Owner: Howell Public Schools
Purpose of Change: Create Non-Residential Planned Unit Development
Existing Land Use: Vacant Former Elementary School

ZONING ORDINANCE TEXT AMENDMENT The following Article and Section to be amended:

Article Number: _____ Article Name: _____
Section Number: _____ Section Name: _____

Please attach a copy of the proposed zoning ordinance changes.

PUBLIC NOTICE AND PUBLICATION SCHEDULE

Legal notice of the public hearing was published on Feb. 21, 2014 in the Livingston Daily Press
(not less than 15 days before the public hearing)

----- Newspaper, which has general circulation in the township. The Genoa Township Planning Commission held a public hearing on March 10, 2014 to hear the views of the public on the proposed amendment.

MINUTES OF PUBLIC HEARING (Please check "a" or "b" below)

- a. The meeting minutes are attached.
- b. The minutes of the meeting will be sent later. The case information has been sent so that the Livingston County Planning Department staff can be working on the case while the minutes are being prepared. The facts brought out at the hearing are: (use additional sheets as necessary)

MASTER PLAN

Adoption of new or revised plan Amendment (Section/Chapter)

Note: For all master plan cases, the municipality must submit a statement signed by the Planning Commission Secretary stating that all of the necessary legislative bodies have been sent copies of the proposed language/map, along with the name and address of each.

PUBLIC NOTICE AND PUBLICATION SCHEDULE

Legal notice of the public hearing was published on the following days: _____ and _____
(not more than 30 or less than 20 days from the public hearing) (not more than 6 days from the public hearing)

in the _____ Newspaper, which has general circulation in the township.

The _____ Township Planning Commission held a public hearing on _____ to hear the views of the public on the proposed amendment. (date)

MINUTES OF PUBLIC HEARING (Please check "a" or "b" below)

- a. The meeting minutes are attached.
- b. The minutes of the meeting will be sent later. The case information has been sent so that the Livingston County Planning Department staff can be working on the case while the minutes are being prepared. The facts brought out at the hearing are: (use additional sheets as necessary)

TOWNSHIP PLANNING COMMISSION ACTION

The recommendation of the Township Planning Commission, at its meeting of March 10, 2014, was:

- Approval
- Disapproval
- Approval under the following conditions: (use additional sheets as necessary)

[Signature]
(Chair Signature)

[Signature]
(Secretary Signature)

LIVINGSTON COUNTY PLANNING COMMISSION ACTION

Date Received March 19, 2014 Date of LCPC Meeting April 16, 2014
The Commission on the above meeting date took the following action:

- Approval
- Approval with conditions stated in attachment
- Disapproval
- No action-encourage further review

[Signature]
(Chair Signature)

[Signature]
(Director Signature)

TOWNSHIP BOARD ACTION

Date of Meeting _____ The _____ Township Board at a legally constituted

meeting held on the above date PASSED PASSED WITH AMENDED LANGUAGE DID NOT PASS NO ACTION-ENCOURAGE FURTHER REVIEW the recommended change contained herein.

COPIES: White - County Planning Commission, Census - Township Planning Commission, _____ (Township Clerk)
Pink - Township Clerk, Goldenrod - County Planning Commission



Livingston County Department of Planning

April 17, 2014

Kathleen J. Kline-Hudson
AICP, PEM
Director

Genoa Charter Township Board of Trustees
c/o Polly Skolarus, Township Clerk
Genoa Charter Township Hall
2911 Door Road
Brighton, MI 48116

Re: Planning Commission Review of Rezoning Z-17-14

Robert A. Stanford
AICP, PEM
Principal Planner

Dear Board Members:

The Livingston County Planning Commission met on Wednesday, April 16, 2014 and reviewed the rezoning amendment referenced above. The Livingston County Planning Commissioners made the following recommendation:

Scott Barb
PEM
Principal Planner

Z-17-14 Approval. The proposed NR-PUD rezoning of this site meets the Qualifying Conditions of Section 10.02 of the Genoa Charter Township Zoning Ordinance. NR-PUD zoning is also consistent with master plan recommendations for the site, and consistent with the zoning and land uses immediately to the north and west of the site. NR-PUD zoning is more appropriate for this site than current RR Rural Residential zoning due to the recent changes in planning and zoning surrounding the I-96/Latson Road Interchange area.

Copies of the staff review and draft Livingston County Planning Commission meeting minutes are enclosed. Do not hesitate to contact our office should you have any questions regarding these county actions.

Sincerely,

Kathleen J. Kline-Hudson
Director

Department Information

Administration Building
304 E. Grand River Avenue
Suite 206
Howell, MI 48843-2323

Enclosures

•
(517) 546-7555
Fax (517) 552-2347

c: Doug Brown, Chair Genoa Charter Township Planning Commission
Kelly VanMarter, Assistant Township Manager/Community Development
Director, Genoa Charter Township

Meeting minutes and agendas are available at:
<http://www.livgov.com/plan/Pages/agendas.aspx>

•
Web Site
co.livingston.mi.us

and can't be grown in each zone. Director Kline-Hudson stated she would have to check the zoning ordinance to be sure.

Public Comment: None.

Commissioner Action: IT WAS MOVED BY COMMISSIONER KENNEDY-CARRASCO TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER ANDERSON.

All in favor, motion passed. 5-1 (Sparks – Nay)

D. Z-17-14 GENOA CHARTER TOWNSHIP: REZONING.

Current Zoning: RR Rural Residential

Proposed Zoning: NR-PUD Non Residential Planned Unit Development

Proponents: Howell Public Schools and Genoa Charter Township/ Howell Public Schools

TOWNSHIP MASTER PLAN: The Genoa Township Master Plan adopted in 2013 was enhanced with an I-96/ Latson Road Subarea Plan to specifically guide development surrounding the new interchange. The subarea plan states that land on the east and west side of Latson Road between I-96 and Grand River Avenue is planned for Regional Commercial. The Regional Commercial designation includes higher intensity commercial uses that serve the comparison shopping needs of the entire community and the regional market.

Uses include big box retail, large shopping centers, restaurants (including fast-food) and automobile service centers. Such land uses rely on higher traffic volumes and easy access via a major arterial or highway. Development within such areas should occur within a planned, integrated commercial setting. Site design for these uses should include high quality architectural and landscape design with parking areas and access points that promote safe and efficient circulation throughout the site. The location of this land use designation shall be focused along the Grand River Avenue corridor between Latson Road and Grand Oaks Drive to create a focused regional commercial center so that the Township, County and State agencies can more efficiently focus the infrastructure and services needed to support this regional center.

COUNTY COMPREHENSIVE PLAN: The Livingston County Comprehensive Plan (as amended) designates this site as Residential and Howell-Brighton Growth Corridor. The Plan describes these designations as follows:

Residential - Residential areas are located mainly in the southeast quadrant of the county. This quadrant has had the largest number of new residents move in over the last decade, and is the most built out area of the county. Over 40% of the county's population lived in Residential areas in 2000. It is characterized by fairly dense residential, commercial, and to some extent industrial development, although less dense and intense than uses found in the cities and villages. Residential areas are not without their rural character and scenic vistas. However, few agricultural lands in Residential areas are expected to exist twenty years from now. New residential developments in these areas should be compact and make the best use of sewer and water if it is available, and cluster projects should be utilized when appropriate to preserve open space and scenic vistas. Projects such as planned unit developments that are not feasible in Cities/Villages or Primary Growth Areas because of parcel size or similar restrictions should be channeled into Residential areas. Limited commercial and industrial growth is appropriate.

Howell-Brighton Growth Corridor - This growth area identifies a particular section of the Grand River Avenue corridor between the City of Howell and the City of Brighton. This Plan recognizes the considerable growth that has occurred in this area in the last decade, and that the corridor will continue to

develop over the life of this Plan. The uses are mixed: commercial uses, which include everything from mom-and-pop convenience stores to big-box retailers; office and service establishments; a variety of industrial uses; and recently, fairly dense housing developments, such as attached condominiums and apartment complexes. Established residential neighborhoods are also found along the corridor.

The Howell-Brighton Growth Corridor is a unique area of the county. While the corridor could be interpreted as a logical extension of the two cities because of the infrastructure and types of uses present, the corridor could also be considered suburban sprawl that generates congestion and competes with traditional downtowns. The reality is probably somewhere in between, which warrants this special designation on the Generalized Future Land Use Map.

Township Planning Commission Recommendation: Approval. The Genoa Charter Township Planning Commission recommended APPROVAL of this rezoning at their March 10, 2014 meeting. There were no comments from the public during the public hearing portion of the meeting.

Staff Recommendation: Approval. The proposed NR-PUD rezoning of this site meets the Qualifying Conditions of Section 10.02 of the Genoa Charter Township Zoning Ordinance. NR-PUD zoning is also consistent with master plan recommendations for the site, and consistent with the zoning and land uses immediately to the north and west of the site. NR-PUD zoning is more appropriate for this site than current RR Rural Residential zoning due to the recent changes in planning and zoning surrounding the I-96/Latson Road Interchange area.

Commission Discussion: None.

Public Comment: None.

Commissioner Action: IT WAS MOVED BY COMMISSIONER HUBERT TO RECOMMEND APPROVAL, SECONDED BY COMMISSIONER CLUM.

All in favor, motion passed. 6-0

**E. Z-18-14 MARION TOWNSHIP - PROPOSED AMENDMENTS TO ZONING ORDINANCE:
Amendments to Article XVI Special Use Permits and Article III Definitions.**

The Marion Township Planning Commission proposes to revise Article XVI: Special Use Permits.

Township Planning Commission Recommendation: Approval. The Marion Township Planning Commission recommended Approval of the text amendment at their February 25, 2014 meeting. There were no public comments at the public hearing.

Staff Recommendation: Approval. The proposed text amendments are straightforward, apply no undue hardship on the public or prospective applicant and make excellent planning sense.



Commission Discussion: Commissioner Sparks why the responsibility for final approval of Special Use Permits moved from the Planning Commission to the Board of Trustees. Principal Planner Stanford stated that Marion Township would like the Planning Commission and the Board to have a dual role in this decision-making process with final approval by the Board. The Township wanted to clarify the Township Board's role in this process.

Public Comment: None.

LIVINGSTON COUNTY PLANNING DEPARTMENT – ZONING REVIEW

| | | |
|---|--|--|
| CASE NUMBERS: COUNTY: Z-17-14 TWP: 14-01 | LOCATION: Genoa Charter Township SECTION NUMBER: 9 TOTAL ACREAGE: 14.57 Acres | APPLICANT/OWNER: Howell Public Schools and Genoa Charter Township/ Howell Public Schools |
|---|--|--|

| | |
|---|---|
| <p><u>CURRENT ZONING:</u> Rural Residential RR</p> <p><u>PERMITTED/SPECIAL USES (Not all inclusive):</u> Permitted: Single family detached dwellings; accessory home occupations; accessory uses, buildings and structures; keeping of pets; accessory keeping of equine and livestock; adult foster care family home; foster family home; family day care home; essential public services, publicly owned parks; and private non-commercial parks. Special: Bed and breakfast inns; adult foster care small group home; group day care home; places of worship; elementary schools; essential public service/utility buildings; public buildings and uses; and golf courses without driving ranges.</p> <p><u>MINIMUM LOT AREA:</u> 2 Acres</p> | <p><u>REQUESTED ZONING:</u> Non-Residential PUD</p> <p><u>PERMITTED/SPECIAL USES (Not all inclusive):</u> Permitted and Special All uses permitted by right or by special land use approval in the Commercial, Office and Public and Recreational Facilities Districts (NSD, OS, GCD, RCD and PRF) are permitted by right or special use under the NR-PUD. Permitted uses shall also include Manufacturing Research or Research and Development Uses, defined as low intensity industrial uses that include a large office or laboratory component and that manufacture, package, assemble or treat finished or semi-finished products from previously prepared material but do not process raw materials. There are 20 exceptions to the list of permitted uses noted in Section 10 03 05 (c)</p> <p><u>MINIMUM LOT AREA:</u> 20 Acres – minimum lot area may be reduced for sites served by public water and sewer</p> |
|---|---|

| | |
|--|--|
| <p><u>CURRENT ZONING MAP:</u> (also see last page of review)</p>  | <p><u>EXISTING LAND USE MAP:</u> (also see last page of review)</p>  |
|--|--|

| | |
|--|--|
| <p><u>LOCATION:</u> The property is located at 1201 S. Latson Road, on the east side of Latson Road just north of the I-96 Interchange.</p> <p><u>LAND USE:</u> Former Latson Road Elementary School</p> | <p><u>ESSENTIAL FACILITIES:</u> SANITARY SEWER: Municipal sewer WATER SUPPLY: Municipal water ACCESS ROAD(S): Latson Road – paved primary road</p> |
|--|--|

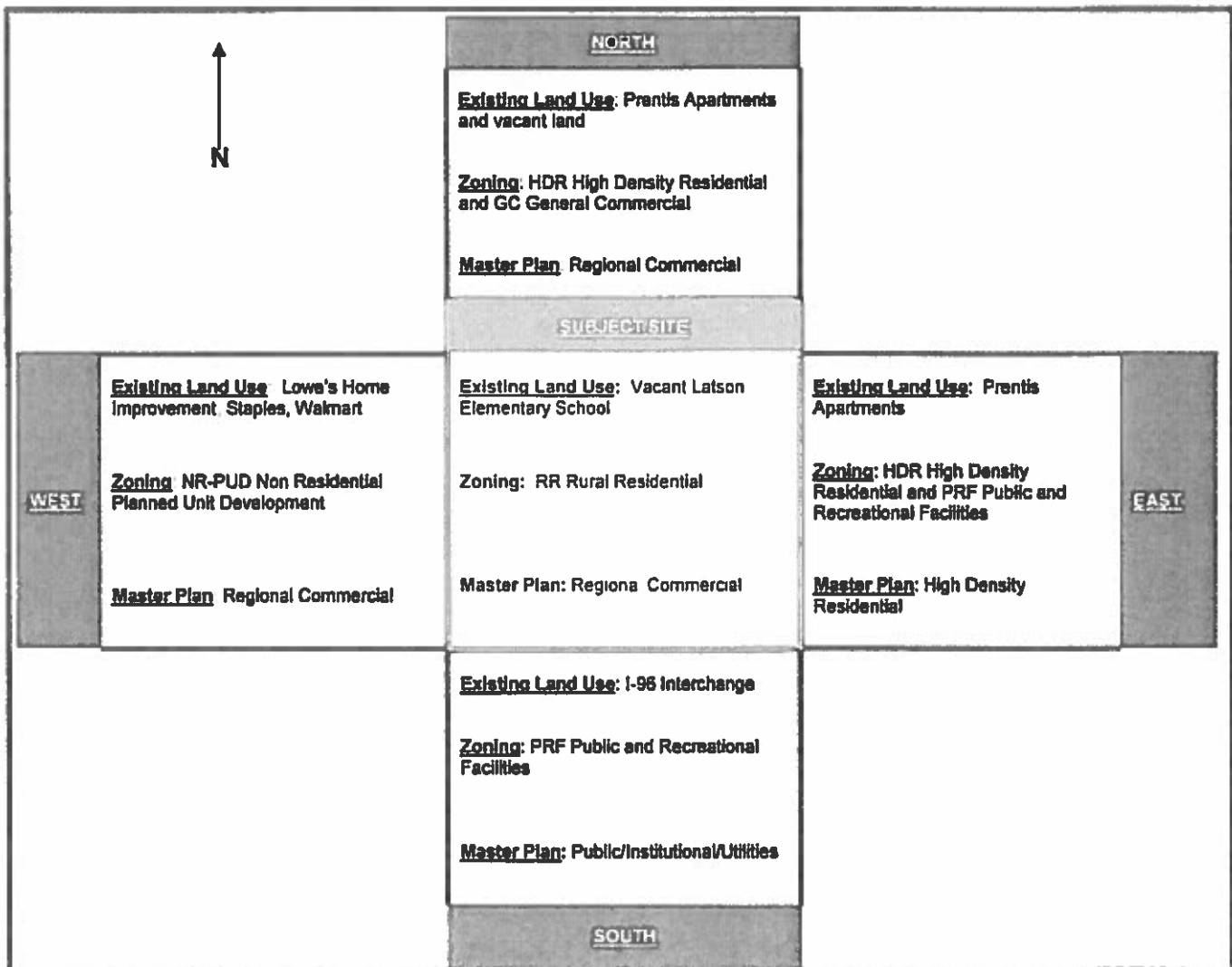
TOWNSHIP PLANNING COMMISSION RECOMMENDATION AND PUBLIC COMMENTS:

The Genoa Charter Township Planning Commission recommended APPROVAL of this rezoning at their March 10, 2014 meeting. There were no comments from the public during the public hearing portion of the meeting.

ENVIRONMENTAL CONDITIONS:

| | |
|--------------------------|--|
| Soils/Topography: | The Livingston County Soil Survey indicates that the entire site consists of Miami Loam soils that are well drained and suitable for nonfarm development. The topography of the site is gently rolling with 2-6% slopes. |
| Wetlands: | The National Wetland inventory indicates that there are no wetlands located on the site. |
| Vegetation: | The subject site contains some minor landscaping. |
| Natural Areas: | According to Livingston County's High-Quality Natural Areas study, the site does not contain Priority 1, 2 or 3 natural areas. |

CURRENT LAND USE, ZONING, AND MASTER PLANNING MATRIX: The graphic below provides a general overview of the existing uses, zoning and future land use designations of the subject site and the immediately adjacent parcels.



TOWNSHIP MASTER PLAN:

The Genoa Township Master Plan adopted in 2013 was enhanced with a I-96/ Latson Road Subarea Plan to specifically guide development surrounding the new interchange. The subarea plan states that land on the east and west side of Latson Road between I-96 and Grand River Avenue is planned for Regional Commercial. The Regional Commercial designation includes higher intensity commercial uses that serve the comparison shopping needs of the entire community and the regional market. Uses include big box retail, large shopping centers, restaurants (including fast-food) and automobile service centers. Such land uses rely on higher traffic volumes and easy access via a major arterial or highway. Development within such areas should occur within a planned, integrated commercial setting. Site design for these uses should include high quality architectural and landscape design with parking areas and access points that promote safe and efficient circulation throughout the site. The location of this land use designation shall be focused along the Grand River Avenue corridor between Latson Road and Grand Oaks Drive to create a focused regional commercial center so that the Township, County and State agencies can more efficiently focus the infrastructure and services needed to support this regional center.

COUNTY COMPREHENSIVE PLAN:

The Livingston County Comprehensive Plan (as amended) designates this site as Residential and Howell-Brighton Growth Corridor. The Plan describes these designations as follows:

Residential - Residential areas are located mainly in the southeast quadrant of the county. This quadrant has had the largest number of new residents move in over the last decade, and is the most built out area of the county. Over 40% of the county's population lived in Residential areas in 2000. It is characterized by fairly dense residential, commercial, and to some extent industrial development, although less dense and intense than uses found in the cities and villages. Residential areas are not without their rural character and scenic vistas. However, few agricultural lands in Residential areas are expected to exist twenty years from now. New residential developments in these areas should be compact and make the best use of sewer and water if it is available, and cluster projects should be utilized when appropriate to preserve open space and scenic vistas. Projects such as planned unit developments that are not feasible in Cities/Villages or Primary Growth Areas because of parcel size or similar restrictions should be channeled into Residential areas. Limited commercial and industrial growth is appropriate.

Howell-Brighton Growth Corridor - This growth area identifies a particular section of the Grand River Avenue corridor between the City of Howell and the City of Brighton. This Plan recognizes the considerable growth that has occurred in this area in the last decade, and that the corridor will continue to develop over the life of this Plan. The uses are mixed: commercial uses, which include everything from mom-and-pop convenience stores to big-box retailers; office and service establishments; a variety of industrial uses; and recently, fairly dense housing developments, such as attached condominiums and apartment complexes. Established residential neighborhoods are also found along the corridor.

The Howell-Brighton Growth Corridor is a unique area of the county. While the corridor could be interpreted as a logical extension of the two cities because of the infrastructure and types of uses present, the corridor could also be considered suburban sprawl that generates congestion and competes with traditional downtowns. The reality is probably somewhere in between, which warrants this special designation on the Generalized Future Land Use Map.

COUNTY PLANNING STAFF COMMENTS:

The subject parcel was the former site of Latson Elementary School until its closure due to the nearby construction of the I-96 interchange ramp. School buildings are still present on the land but they are in the process of being demolished (see site photos on following page of review). During past right-of-way negotiations with Howell Public Schools, Genoa Charter Township purchased a portion of the school property (5.95 acres) for the interchange and both parties agreed upon development details for the remaining acreage (the 14.5 acres in this rezoning petition) such as demolition of the school building, sewer and water REU's and preparation and petition of a PUD plan.

The conceptual NR-PUD plan for this site is based upon the PUD agreement for the Livingston Commons Phase 2 development which is located immediately west of the subject parcel. Potential uses include: commercial, office and multi-story retail/office buildings. The concept is flexible for a larger-scale retail or hotel/conference center. It would provide open space and landscaped parking on-site, and buffering and non-motorized connections for adjacent multi-family development. Entry to the site will be aligned with the new traffic signal on the north side of the interchange (see photos).

COUNTY PLANNING STAFF COMMENTS:

The qualifying conditions of a Genoa Charter Township Application for a PUD, and of Section 10.02 of the Genoa Township Zoning Ordinance, are paraphrased below with an explanation of how each condition has been addressed in this rezoning petition:

1. A PUD zoning classification may be initiated only by a petition – A: the submission of this rezoning petition.
2. The type of PUD designation must be stated – A: Non-residential Planned Unit Development (NRPUD)
3. The planned unit development site shall be under the control of one owner or group of owners and shall be capable of being planned and developed as one integral unit – A: Howell Public Schools owns the parcel
4. The site shall have a minimum area of twenty (20) acres of contiguous land, provided such minimum may be reduced by the Township Board as follows in A. – D. (applicable minimum lot size requirements shown).
 - A. The minimum area requirement may be reduced to five (5) acres for site served by both public water and public sewer.
 - C. The PUD site plan shall provide one or more of the following benefits not possible under the standards of another zoning district, as determined by the Planning Commission:
 - Preservation of significant natural or historic features
 - A complementary mixture of uses or a variety of housing types
 - Common open space for passive or active recreational use
 - Mitigation to offset impacts
 - Redevelopment of a nonconforming site where creative design can address unique site constraints

A: The property was formerly home to the Latson Elementary School, which was closed. The site has remained unoccupied for some time and the intent is to develop an under-utilized site. The property is served by public water and sewer and will provide a complementary mixture of non-residential uses with a higher level of building and site design (consistent with the Township Master Plan) than would otherwise be required under conventional zoning.

Additionally, four standards for rezoning to Planned Unit Development must be addressed in the Genoa Charter Township Application for a PUD or in an attached Impact Assessment. The petitioner's impact Assessment addressed these standards as follows:

1. How would the PUD be consistent with the goals, policies and future land use map of the Genoa Township Master Plan, including any subarea or corridor studies. If conditions have changed since the Master Plan was adopted, the consistency with recent development trends in the area – A: The Future Land Use map in the Master Plan designates this property as Regional Commercial. This site will be developed as a Planned Unit Development, which means specific uses are not yet known. However, potential uses include a gas station, retail, office, small hotel, and restaurants, which will complement the nearby uses planned across Latson Road and along Grand River Avenue. These uses are compatible with the Future Land Use of the property and nearby businesses.
2. The compatibility of all the potential uses in the PUD with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values – A: Uses proposed for the portions of the property adjacent to the apartment complex are expected to have normal business hours that minimally impact the adjacent residential uses. Office hours of operation are expected to generally be 8AM – 6PM and retail from 9AM – 9PM. Those uses proposed for frontage on Latson Road further from the apartments, such as restaurants and a gas station, are expected to have later operating hours. Their proposed location along Latson Road is to minimize their impacts on the adjacent apartments, buffered by the less intensive uses proposed for the rear of the site. Exterior lighting will comply with current Township standards, while the nature of potential uses is compatible with surrounding development so as to limit other exterior impacts. The final site design will include appropriate buffering so as to mitigate any potential impacts on the adjacent multiple family development
3. The capacity of infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety and welfare" of the Township – A: With the exception of costs and fees exempted by the Real Property Benefits Agreement (between the Township and Howell Public Schools), it is anticipated that the new development will support its fair share of these service costs through appropriate taxing methods. The smaller scale retailers, restaurants and office uses will impact parks, schools, and roads on a minimal basis. The development will be served by public water and sewer systems currently located at the site. The existing systems have sufficient capacity for the anticipated development density. Reference is made to the South Latson Utility Study prepared by Tetra Tech on behalf of Genoa Township for anticipated impacts from the development on the municipal water and sanitary sewer systems
4. The apparent demand for the types of use permitted in the PUD – A: This seems to be addressed in #1 above.

COUNTY PLANNING STAFF COMMENTS:

The Genoa Township Master Plan adopted in 2013 was enhanced with a I-96/ Latson Road Subarea Plan to specifically guide development surrounding the new interchange. The subarea plan states that land on the east and west side of Latson Road between I-96 and Grand River Avenue is planned for Regional Commercial and will be rezoned for a mixed-use PUD (NR-PUD). The plan further states that a NR-PUD should include the following:

- A diversified mixture of uses that may include commercial and office/research and development.
- A mixture of uses that will diversify traffic generated from the site by spreading out the peak hour over times that minimize impact to the interchange's peak hour traffic.
- Access management that will minimize the number of driveways and protect the efficiency of traffic flow along Latson Road between the interchange and Grand River Avenue.
- Distinct and prominent architectural features of enhanced character, which reflect the importance of the site's location and create a positive visual landmark for this gateway to the community.
- Extensive landscaping along Latson Road and Grand River Avenue to enhance the appearance of these corridors and the gateway to the community.
- Uniformity in design through coordination of architectural styles, landscaping, ornamental lighting, pedestrian circulation and vehicular access.

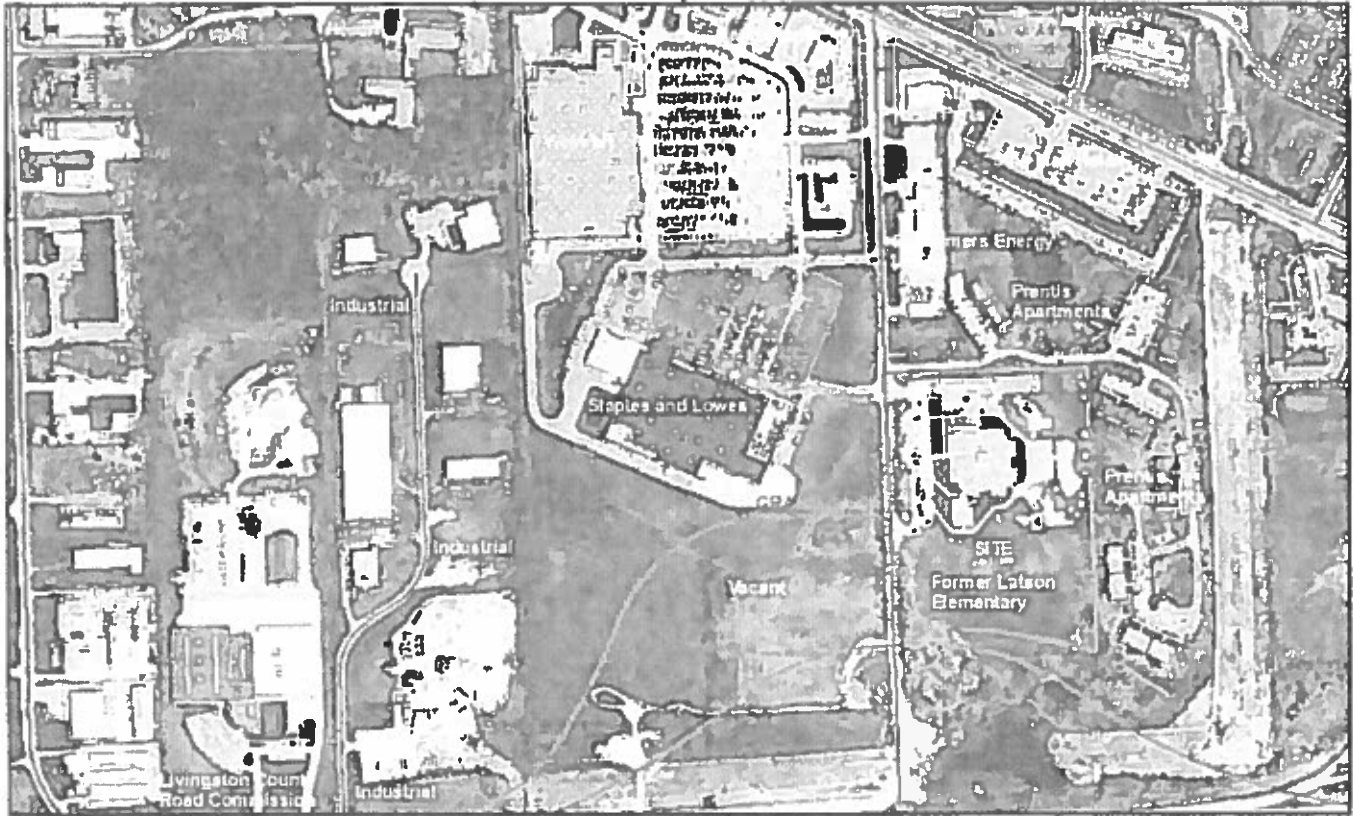
The conceptual NR-PUD plan for this site accomplishes the first three of these master plan considerations with its proposed mixture of restaurants, gas stations, and retail/office uses with a diversity of operation hours and plans for site access at the new traffic light north of the I-96 Interchange. The remaining three master plan considerations will be addressed in site plan review.

NR-PUD rezoning of the property is also consistent with surrounding NR-PUD zoning to the west, and the proposed uses for this site will also complement the existing mixed uses to the west such as Lowe's, Staples and Walmart. The current zoning of RR Rural Residential is inconsistent with the changed landscape and usage of the Latson/I-96 interchange area. An NR-PUD rezoning is advantageous for this property due to the flexibility of the zoning tool and the control the Township has through this PUD process of negotiation.

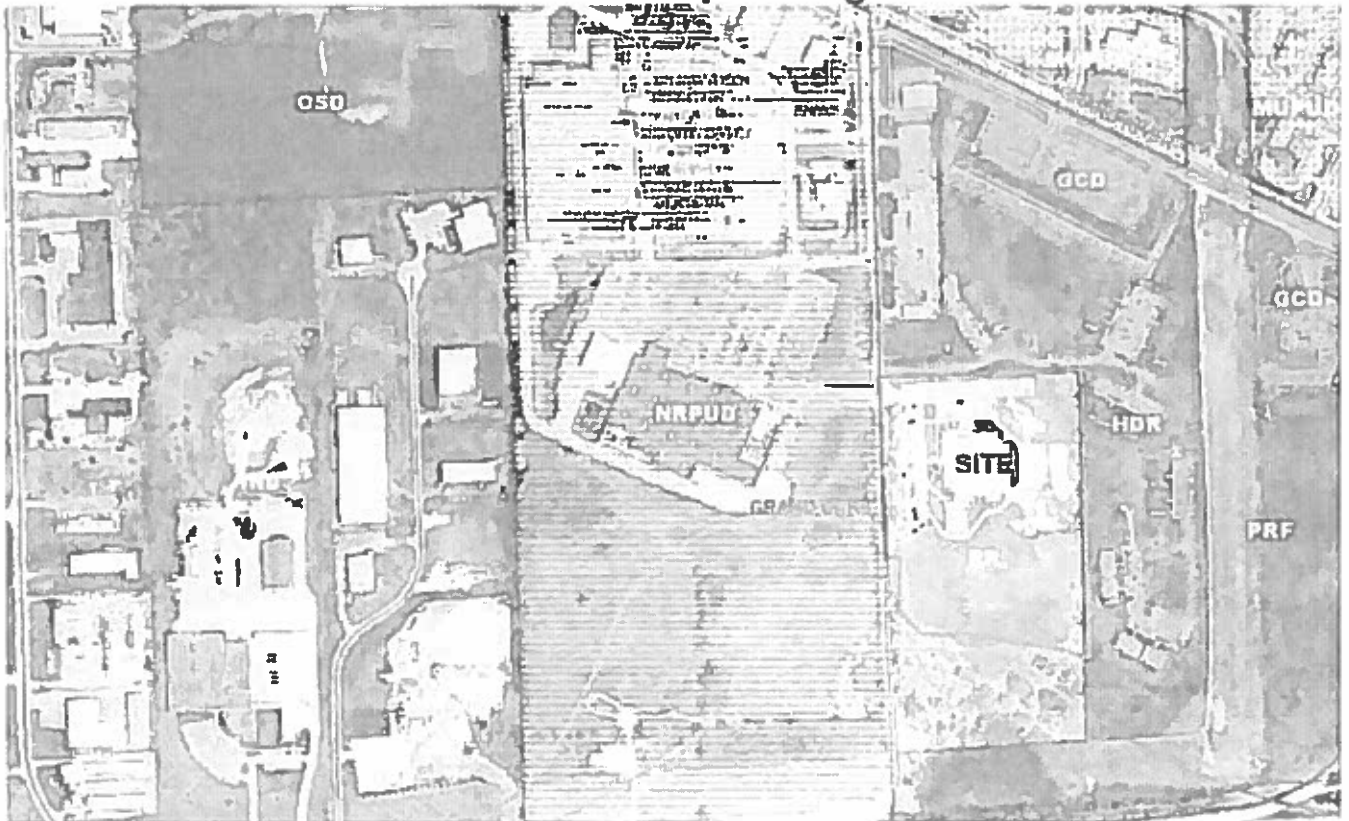
APPROVAL.

The proposed NR-PUD rezoning of this site meets the Qualifying Conditions of Section 10.02 of the Genoa Charter Township Zoning Ordinance. NR-PUD zoning is also consistent with master plan recommendations for the site, and consistent with the zoning and land uses immediately to the north and west of the site. NR-PUD zoning is more appropriate for this site than current RR Rural Residential zoning due to the recent changes in planning and zoning surrounding the I-96/Latson Road Interchange area.

Genoa Charter Township Land Use – Section 9



Genoa Charter Township Zoning – Section 9

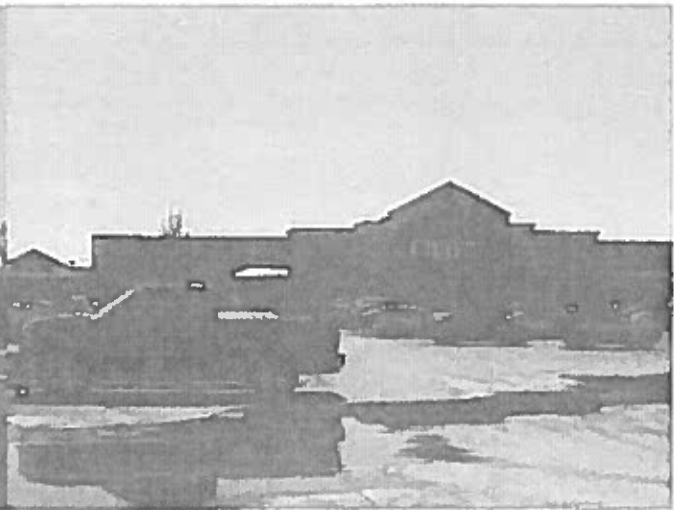
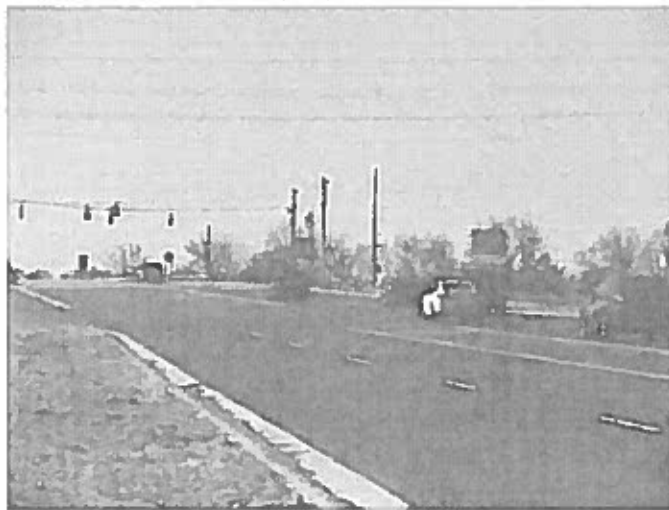




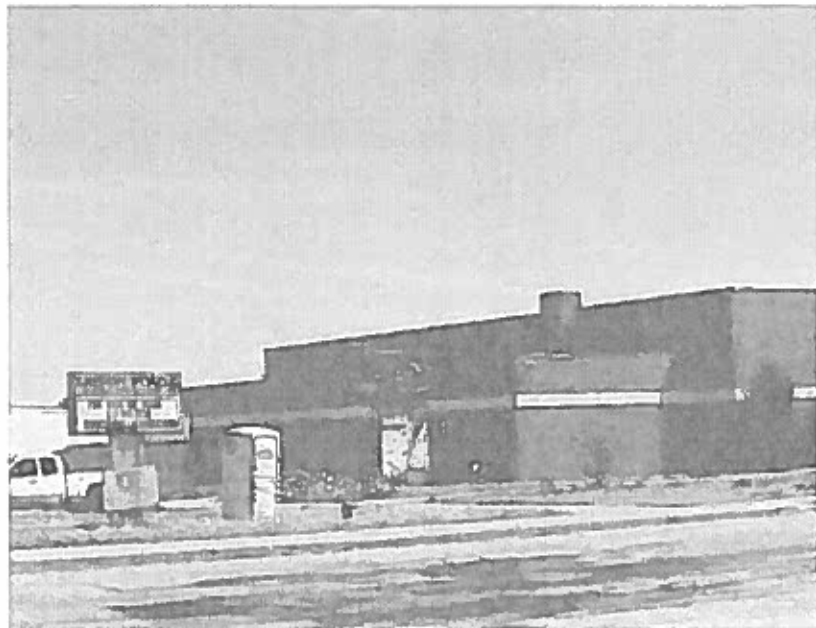
**NORTH
SOUTH**



**NORTH AND EAST
WEST**



SITE



**GENOA CHARTER TOWNSHIP
PLANNING COMMISSION
PUBLIC HEARING
MARCH 10, 2014
6:30 P.M.
MINUTES**

CALL TO ORDER: The meeting of the Genoa Charter Township Planning Commission was called to order at 6:30 p.m. Present were Barbara Figurski, Eric Rauch, Dean Tengel, James Mortensen, Chairman Doug Brown, and John McManus. Also present were Kelly VanMarter, Township Manager, Brian Borden and Kathleen Duffy of LSL Planning and Gary Markstrom from Tetra Tech.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF AGENDA: Motion by Barbara Figurski to approve the agenda as submitted. The motion was supported by John McManus. **Motion carried unanimously.**

ELECTION OF OFFICERS: Kelly VanMarter asked for a motion to nominate officers. James Mortensen made a motion to continue the existing slate of officers in their current positions for an additional year. That slate is: Doug Brown as Chairman; Dean Tengel as Vice Chairman; and Barbara Figurski as Secretary. Support by Eric Rauch. **Motion carried unanimously.**

CALL TO THE PUBLIC: Chairman Brown made a call to the public at 6:35 p.m. with no response.

OPEN PUBLIC HEARING #1... Review of a rezoning application, PUD agreement, impact assessment, and conceptual PUD plan for approximately 14.57 acres in Section 09, located at 1201 S. Latson Road (former Latson Road Elementary School), Howell, #4711-09-100-036. The requested rezoning is from Rural Residential (RR) to Non-Residential Planned Unit Development (NR-PUD), and is petitioned by Howell Public Schools and Genoa Charter Township.

Chairman Brown provided some background history and overview of this parcel.

Brian Borden made a presentation as it relates to the process ahead regarding this parcel. There are four components before the Planning Commission for recommendation this evening. A public hearing is required. Notification has been provided by Ms. VanMarter. Since there is re-zoning involved, that portion must go through Livingston County. The Board will have final approval authority and can execute the PUD agreement.

The site is approximately 14.5 acres and still contains the school building. It is currently zoned RR. The master plan adopted by the Board in 2013 identifies this site as regional commercial. This is consistent with the property nearby. It is proposed that the zoning become NR-PUD. The specific details will be detailed in the PUD agreement.

The conceptual PUD plan includes: commercial, office and multi-story retail/office buildings. The concept is flexible for larger-scale retail or hotel/conference center. The plan includes an interchange design guideline developed for Latson subarea in the master plan for both the site and buildings. It would provide buffering and non-motorized connections for adjacent multi-family development.

Under the ordinance, the following items must be considered: whether the site qualifies as a PUD and whether it meets the standards for a conceptual PUD plan. A list of the deviations sought was discussed by Brian Borden. In his opinion, the biggest deviation is signage.

Gary Markstrom did not have any additional information to provide. He worked with LSL and he had no concerns to address at this time. Chairman Brown asked if the Grand River sewer line was at capacity. Gary Markstrom indicated that is not correct. Kelly VanMarter indicated that was in the real property benefit paperwork. Gary Markstrom indicated that was the case at that point in time, but it is no longer the case. The real property benefit agreement does not need to be updated according to Kelly VanMarter.

James Mortensen asked about whether one gas station or two gas stations will be permitted. Brian Borden indicated that the language is "up to two." Kelly VanMarter indicated she would review the paperwork for consistency.

James Mortensen asked about a reference to Crooked Lake Road in computer page 55 of the packet. Kelly VanMarter indicated that was a draft and should not have been included in the packet.

References to the Drain Commission should be changed to reflect Drain Commissioner.

Section 9.6 was reviewed. The first sentence needs to be corrected to become a full sentence. The second sentence should be corrected to reflect the applicant superimpose - not the site.

The timing of the sidewalk installation was discussed. The ordinance does not have a requirement for a timeline. Kelly VanMarter indicated she is comfortable with it as written.

Kelly VanMarter indicated a letter from the Road Commission was included in the packet as computer page nine. Chairman Brown asked about the definition of spring lines. Mr. Markstrom indicated that it's the point where a curve ends.

There is no date on the environmental impact assessment plan. It was received on 2/14/14 per Kelly VanMarter. Chairman Brown asked whether any provisions were made with Howell Schools as to tap fees. Ms. VanMarter indicated that there was an agreement regarding tap fees. The environmental impact assessment should be redacted to reflect that.

Chairman Brown asked about the traffic impact study. It should reference the benefits agreement. Kelly VanMarter agreed.

Chairman Brown asked if the Township would be at risk if there was an accident such as a gas line explosion during the demolition of the school. Kelly VanMarter indicated the Township would not be at risk.

Chairman Brown made a call to the public at 7:23 p.m. No one wished to address the Board and the call to the public was closed.

Planning Commission disposition of petition

- A. Recommendation regarding Rezoning from RR to NR-PUD
- B. Recommendation regarding PUD Agreement (02-14-14)
- C. Recommendation regarding Environmental Impact Assessment (02-14-14)
- D. Recommendation regarding Conceptual PUD Plan (Exhibit B, 02-13-14)

Motion by James Mortensen to recommend to the Township Board that the parcel be re-zoned from RR to NR-PUD. This recommendation is made because the Planning Commission finds it meets the standards of section 10.02 of the Township Ordinance, is consistent with the master plan and is consistent with the zoning immediately to the west. Support by Barbara Figurski. **Motion carried unanimously.**

Motion by James Mortensen to recommend to the Township Board approval of the PUD Agreement dated 2/14/14. Support by John McManus. **Motion carried unanimously.**

Motion by Barbara Figurski to recommend to the Township Board approval of the Environmental Impact Assessment dated 2/14/14, subject to the changes discussed to sections six and nine. Support by James Mortensen. **Motion carried unanimously.**

Motion by James Mortensen to recommend to the Township Board approval of the Conceptual PUD Plan dated 2/13/14. This recommendation is made because it meets the standards of section 10.02 of the Township Ordinance, is consistent with the master plan and is consistent with the zoning immediately west. Support by Barbara Figurski. **Motion carried unanimously**

Administrative Business:

- *Staff report. Kelly VanMarter indicated that a meeting will be held in April. She gave a quick update to several projects that are ongoing.*



MEMORANDUM

2911 Dorr Road
Brighton, MI 48116
810 227.5225
810 227.3420 fax
genoa.org

TO: Planning Commission
FROM: Kelly VanMarter, Assistant Township Manager/Community Development Director
DATE: March 6, 2014
RE: Howell Public Schools Latson Elementary Rezoning

Dear Commissioners,

As many of you know, the Township was responsible to acquire all of the right-of-way land for the Latson Road Interchange Project. Negotiating with Howell Public Schools to procure part of the Latson Road Elementary School property was one of the most challenging of the endeavor. Not wanting to evoke eminent domain nor enter into lengthy and costly condemnation litigation over the right-of-way, the Township and the School District with the assistance of the Livingston County Road Commission (LCRC) entered into an Alternative Dispute Resolution mediation process which was facilitated by local attorney Ken Burchfield.

Mediation with the interested parties occurred in January 2012 and ended in an agreement between both parties on February 8, 2012. Attached please find the February 8, 2012 Board meeting minutes and the executed Agreement between the Township Board and Howell Public Schools. In addition to the February 8th Agreement you may also wish to review the Real Property Benefits Agreement (the "Benefits Agreement") that is dated April 10, 2012. The Benefits Agreement is the official recorded agreement as executed at closing and can be found in the packet as "Exhibit D" to the PUD Agreement.

As required by the aforementioned Agreements and for your consideration at Monday's (March 10) Planning Commission meeting, petitions for a rezoning and other supplemental applications and information have been provided. The proposed zoning classification is Non-Residential Planned Unit Development (NR-PUD). As was negotiated, the land use provisions of the proposed PUD are based on the PUD Agreement for the Livingston Commons Phase 2 development which is located immediately west of the subject parcel.

I look forward to discussing this matter with you on Monday and I welcome any questions or comments you may have in this regard.

Sincerely,

SUPERVISOR
Gary T. McCririe

CLERK
Paulette A. Skolarus

TREASURER
Robin L. Hunt

MANAGER
Michael C. Archinal

TRUSTEES
H. James Mortensen
Jean W. Ledford
Todd W. Smith
Linda Rowell

**GENOA CHARTER TOWNSHIP
BOARD OF TRUSTEES/ HOWELL AREA SCHOOLS
JOINT MEETING
FEBRUARY 8, 2012**

MINUTES

Supervisor McCririe called the Special Meeting of the Genoa Charter Township Board to order at 7:00 p.m. at the Livingston County Road Commission Building located at 3577 Grand Oaks Drive, Howell, and MI. The Howell School Board convened concurrently. The Pledge of Allegiance was then said. The following board members were present constituting a quorum for the transaction of business: Gary McCririe, Steve Wildman, Robin Hunt, Todd Smith, Jean Ledford and Jim Mortensen. Also present were Township Manager Michael Archinal, Planning Director Kelly VanMarter and approximately 16 persons in the audience.

A Call to the Public was made with no response.

Approval of Agenda: Moved by Wildman, supported by Mortensen to approve the agenda as presented. The motion carried unanimously.

- 1. Discussion regarding the Latson Interchange Project and the purchase of property from Howell Area Schools to advance the construction of the interchange with and agreement related to same.**

McCririe stated that the board would continue discussion after the Howell School Board reconvenes from closed session. McCririe stated that the board members have the agreement before them, please review and if they have any questions, please discuss them at the time of the hearing of item #1.

Mortensen questioned what the Township's responsibility would be if the Howell School Board sold the property before the interchange is started. Supervisor McCririe stated that the agreement is for the conceptual PUD only and the fees are for preliminary not final engineering.

Moved by Smith and supported by Mortensen, to approve the Latson Interchange I-96 agreement between the Howell school Boards and the Genoa Charter Township with final attorney approval and the correction of 12 inches to 12 feet in regards to the signage. The agreement includes 12 items with highlights as follows:

GENOA CHARTER TOWNSHIP – Special Meeting with Howell Schools and the Livingston County Road Commission – Feb. 8, 2012

- **Genoa Township will pay \$315,000.00 for 5.95 acres on Latson Road**
- **The balance of the school property will be provided 22 REU's (residential equivalent users) for sewer and 20 REU's for water**
- **Five free REU's for sewer and seven REU's for water**
- **A joint preparation and petition for the future conceptual PUD plan**
- **Demolition of the school is agreed upon**

The motion carried unanimously.

Moved by Smith, Supported by Wildman, to adjourn the meeting at 7:55 p.m. The motion carried unanimously.

Respectfully Submitted:

A handwritten signature in black ink, appearing to read "Amy Ruthig". The signature is written in a cursive, flowing style.

Amy Ruthig, Secretary

**LATSON ROAD / I-96 INTERCHANGE AGREEMENT
BETWEEN THE TOWNSHIP OF GENOA AND THE HOWELL PUBLIC SCHOOLS**

After extensive negotiations between The Howell Public Schools ("Howell Schools") and the Township of Genoa ("Genoa Township") the respective negotiating committees for the Howell Schools and Genoa Township (collectively the "Parties") on this 8th day of February, 2012 have reached the following agreement concerning the sale and purchase of real property for the Latson Road / I-96 Interchange in Genoa Township, Livingston County, Michigan, as follows:

1. Genoa Township will pay in cash to Howell Schools \$315,000.00 for a portion of Howell School's real property consisting of 5.95 acres (5.45 acres net of existing MDOT right-of-way) said real property being a part of a larger parcel commonly known as Latson Road Elementary School, 1201 S. Latson Road, Genoa Township, Michigan (the "Acquired Parcel").

As additional non-cash consideration the Remaining Parcel, consisting of approximately 14.5 acres upon which the current Latson Road Elementary School is situated, will be provided in addition to the Remaining Parcel's 22 REU's for sewer and 20 REU's for water, 5 free REU's for sewer and 7 free REU's for water.

2. The Livingston County Road Commission will provide at its cost the traffic signal which will include a "backside" for the traffic exiting from the Remaining Parcel. The traffic signal designation and description is more fully described in the Livingston County Road Commission – RLG Howell and GCG Howell Agreement to Transfer Property dated August 30, 2011 ("Agreement to Transfer").

3. Other than the REU tap-in fee, there are currently no additional connection or capital fees charged by Genoa Township. However, fees required for engineering, inspection or by other local units of government will be the obligation of the owner of the Remaining Parcel. Genoa Township and Howell Schools agree that the Remaining Parcel will retain its current REU's for sewer and water and the additional free REU's. Any further additional REU's will be at the current (2012) pricing which is \$5,000.00 per REU/water and \$5,500.00 per REU/sewer. The REU's are assignable but only to the successor in title or interest of the Remaining Parcel.

4. The density, use and building heights will be as afforded to property owners RLG Howell and GCG Howell. The impervious surface percentage will be 85%. Retail uses up to 60,000 square feet will be permitted. One retail use up to 300,000 square feet will be permitted by right without special use permit. Additional uses over 60,000 square feet will be subject to special land use permits. The Remaining Parcel is granted two ground/monument signs the height, width and display portions of the signs are as depicted on Exhibit E (attached).

5. The parties agree to the joint preparation of a conceptual PUD Plan for the Remaining Parcel. Genoa Township agrees to waive Genoa Township administration fees, including the fees for its planning commission. However, outside engineering and outside planning and consultant fees charged for the development and preparation of the conceptual PUD Plan will be shared equally by the parties.

6. The parties agree to submission of a joint petition for the conceptual PUD Plan but subject to the same limitation for the payment of outside consulting fees as set forth in paragraph 5 above. Genoa Township will amend its Master Plan to accommodate the expected future use of the Remaining Parcel with a designation for the Remaining Parcel of NR/PUD. The Remaining Parcel will be permitted to make "adjustments" provided the adjustment(s) will not alter the land use designation or increase the intensity and/or density of use. All development shall be subject to final PUD site plan and land division approval. Thereafter, no modification will be permitted which will substantially increase the impact upon adjoining properties or facilities without Genoa Township approval.

7. The parties agree to jointly submit and obtain recommendation for the PUD Plan for the Remaining Parcel from the Livingston County Planning Commission.

8. The Acquired Parcel (whether designated as 5.45 acres or 5.95 acres) will be subject to a reversionary interest in favor of the Howell Schools, but further subject to a claw back provision of the cash consideration paid by Genoa Township for the Acquired Parcel. The claw back amount shall be subject to a cash retention credit to the Howell Schools not to exceed \$40,000.00. The actual amount of the cash retention credit will be reduced by the actual costs paid by Genoa Township to outside engineering and/or planning consultants in developing the conceptual PUD Plan for the Remaining Parcel. If the costs paid by Genoa Township should be in excess of \$40,000.00 any additional costs over \$40,000.00 are not recoverable by Genoa Township.

9. The parties agree to the continued use of a communication tower on the Remaining Parcel which can be relocated on the Remaining Parcel by the owner, but in no event can the height of the tower be increased above the communication tower's current height of 100 feet.

10. The parties agree that the demolition of the school, in whole or in part, and the demolition of related structures on the Remaining Parcel may proceed without Genoa Township objection.

11. The costs of the acceleration/deceleration lanes will be the obligation of MDOT up to the "spring lines" on the north side of the I-96 Interchange. The costs of the "extension" of these lanes will be subject to further negotiations between MDOT and the Livingston County Road Commission. The Livingston County Road Commission agrees to provide advance notice to Howell Schools of any and all planning and pre-construction meetings and to invite Howell Schools to participate and influence decisions in this regard. It is understood however that although Howell Schools will be permitted to have a voice at these meetings, it will not be empowered to vote on final decisions. It is further understood by the parties that the owner/occupant of the Remaining Parcel may be required at its expense to perform a limited traffic study to determine the length of the acceleration/deceleration lanes.

12. The entry way width to the Remaining Parcel will not be less than the width of Grand Oaks Drive and the density of the Remaining Parcel development will not be reduced by the width of the entry way drive.

The undersigned negotiating committees for Genoa Township and Howell Schools have signed this Agreement in duplicate original the date first above written.

HOWELL PUBLIC SCHOOLS

By Its Negotiating Committee



RON WILSON



RICK TERRES



MIKE WITT



ANN ROUTT

TOWNSHIP OF GENOA

By Its Negotiating Committee



GARY McCRIRIE



KELLY VanMARTER

Approved as to Livingston County Road
Commission Representations

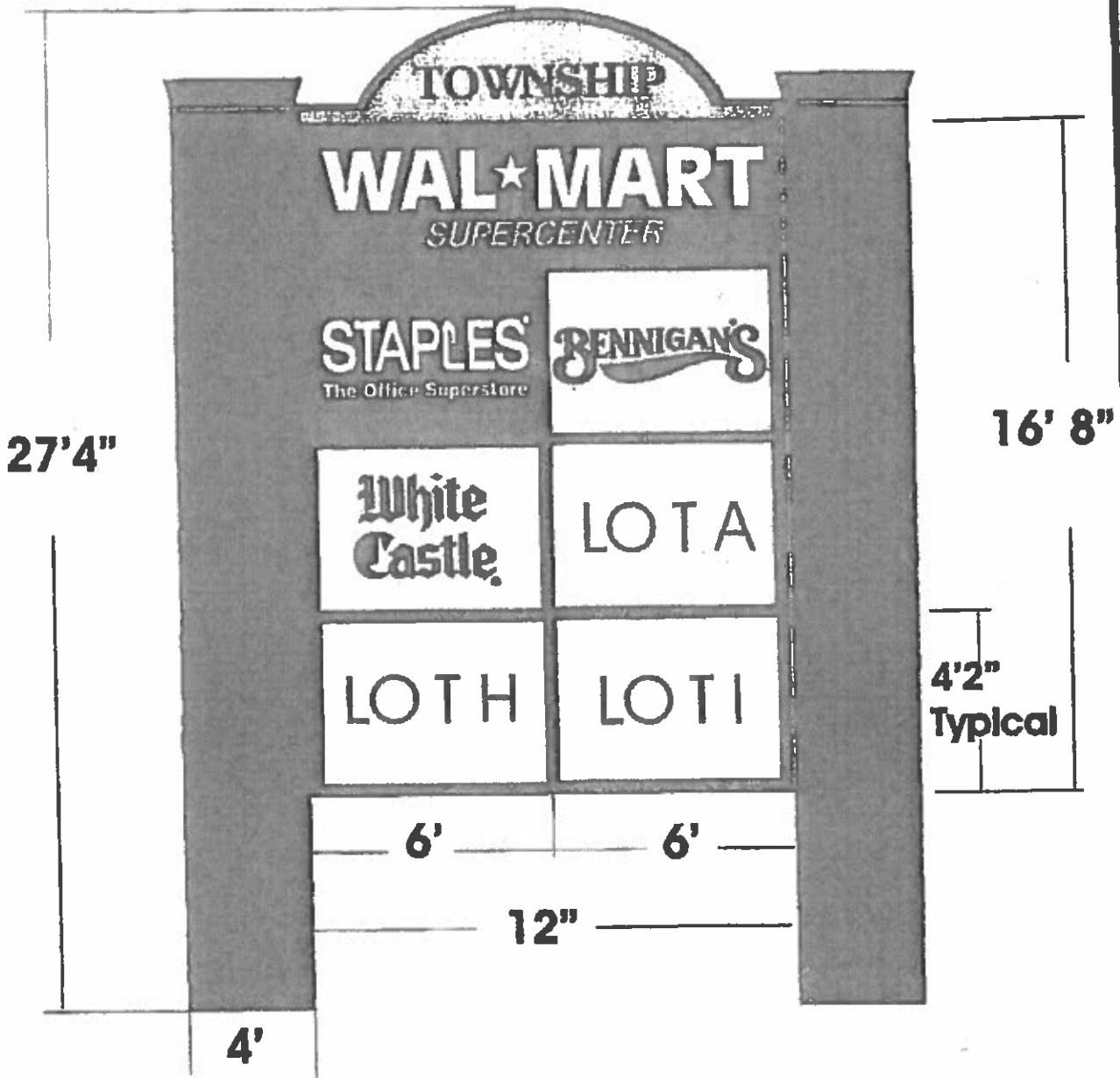
By:



MICHAEL CRAINE

Its: Managing Director

Exhibit E



Kelly VanMarter

From: Mike Craine <mcraine@livingstonroads.org>
Sent: Wednesday, March 05, 2014 2:27 PM
To: Kelly VanMarter; Jodie Tedesco
Cc: FMancuso; Kathleen Duffy (duffy@lsiplanning.com); borden@lsiplanning.com
Subject: RE: Latson Elementary - Grand Oaks Driveway Width
Attachments: Grnd_Oks_Latson_El_Grades.pdf

Kelly,

Attached is the detail grades sheet for the intersection of Grand Oaks/Latson ES with Latson Road. It was constructed in accordance with the plans and conforms to the agreement.

MC

From: Kelly VanMarter [<mailto:Kelly@genoa.org>]
Sent: Wednesday, March 05, 2014 12:39 PM
To: Mike Craine; Jodie Tedesco
Cc: FMancuso; Kathleen Duffy (duffy@lsiplanning.com); borden@lsiplanning.com
Subject: Latson Elementary - Grand Oaks Driveway Width

Mike/Jodie,

As negotiated during facilitation with Howell Public Schools to obtain the Right-of-Way for the Interchange the Township and Howell Public Schools approved the attached Real Property Benefits Agreement.

LCRC was not a party to the attached agreement but was involved in the process.

The Township is (finally) in the process of rezoning the property to a Planned Unit Development (PUD) Zoning which is scheduled to go before the Planning Commission on Monday, March 10th, 2014. There is one provision in the agreement that requires the Township to obtain LCRC approval. The statement is item 3 in the attached and is copied below:

Entryway to Property. The Township represents and warrants that it will obtain LCRC's consent that the width of the entryway to the Property at the Latson Road intersection where the traffic signal is located not be less than the width of Grand Oaks Drive and the density of the Remaining Parcel will not be reduced by the width of the entryway drive

I'm hoping that I can obtain a letter from the LCRC granting consent for the width of the driveway which is to be aligned with Grand Oaks Drive to be equal to or less than the width of the newly constructed Grand Oaks Drive.

Please let me know at your earliest convenience if this is something you can provide.

Thank you!!

Kelly VanMarter, AICP
Assistant Township Manager/Community Development Director

GENOA TOWNSHIP
APPLICATION FOR REZONING

APPLICANT NAME: Genoa Township ADDRESS: 2911 Dorr Rd, Brighton, MI 48116

OWNER NAME: Howell Public Schools ADDRESS: 411 N Highlander Way, Suite C,
Howell, MI 48843

TELEPHONE: (810) 227 - 5225 PARCEL #(s): 11-09-100-011

We, the undersigned, do hereby respectfully make application to and petitioned the Township Board to amend the Township Zoning Ordinance and change the zoning map of the township of Genoa as hereinafter requested, and in support of this application, the following facts are shown:

A. REQUIRED SUBMITTAL INFORMATION

1. a legal description and street address of the subject property, together with a map identifying the subject property in relation to surrounding properties;
2. the name, signature and address of the owner of the subject property, a statement of the applicant's interest in the subject property if not the owner in fee simple title, and proof of consent from the property owner;
3. It is desired and requested that the foregoing property be rezoned from:

- RR to NRPUD
4. a site analysis site plan illustrating existing conditions on the site and adjacent properties; such as woodlands, wetlands, soil conditions, steep sloped, drainage patterns, views, existing buildings, any sight distance limitations and relationship to other developed sites and access points in the vicinity;
 5. a conceptual plan demonstrating that the site could be developed with representative uses permitted in the requested zoning district meeting requirements for setbacks, wetland buffers access spacing, any requested service drives and other site design factors;
 6. A written environmental assessment, a map of existing site features as described in Article 18 describing site features and anticipated impacts created by the host of uses permitted in the requested zoning district;
 7. a written description of how the requested rezoning meets Sec. 22.04 "Criteria for Amendment of the Official Zoning Map".
 8. The property in question shall be staked prior to the Planning Commission Public Hearing.

B. DESCRIBE BELOW HOW YOUR REQUESTED REZONING MEETS THE ZONING ORDINANCE CRITERIA FOR AMENDING THE OFFICAL ZONING MAP.

1. How is the rezoning consistent with the goals, policies and future land use map of the Genoa Township Master Plan, including any subareas or corridor studies. If not consistent, describe how conditions have changed since the Master Plan was adopted?

The Township Master Plan identifies the property as Regional Commercial. The proposed NRPUD designation, along with the terms of the PUD Agreement, will better implement the goals and objectives of the Master Plan than the current RR designation.

2. Are the site's physical, geological, hydrological and other environmental features suitable for the host of uses permitted in the proposed zoning district?

As a previously developed site, the property is suitable for redevelopment as proposed via the PUD option.

3. Do you have any evidence that a reasonable return on investment cannot be received by developing the property with one (1) of the uses permitted under the current zoning?

Since the school closed and was decided not to be repurposed for institutional purposes, the RR designation is no longer appropriate for this site. This is acknowledged by the Township Master Plan designation of Regional Commercial.

4. How would all the potential uses allowed in the proposed zoning district be compatible with surrounding uses and zoning in terms of views, noise, air quality, the environment, density, traffic impacts, drainage and potential influence on property values?

Potential uses are restricted by both the Zoning Ordinance and PUD Agreement for the property. The host of uses anticipated are consistent with the commercial character along this portion of Latson Road to the west and further north towards Grand River Avenue.

5. Is the capacity of the infrastructure (streets, sanitary sewer, water, and drainage) and services (police and fire protection, etc.) sufficient to accommodate the uses permitted in the requested district?

As a previously developed site, the capacity of infrastructure is expected to be sufficient to support redevelopment under the NRPUD. The Real Property Agreement between the Township and Schools provides confirmation.

6. Is there a demonstrated demand in Genoa Township or the surrounding area for the types of uses permitted in the requested zoning district? If yes, explain how this site is better suited for the zoning than others which may be planned or zoned to accommodate the demand.

Given the recent construction of a new interchange along a major highway, conditions in this area have changed. The placement of the property between the new interchange and Grand River Avenue, as well as the Master Plan designation, demonstrates the need to consider commercial and service uses, as opposed to rural residential (or institutional).

7. If you have a particular use in mind, is there another zoning district where your use is permitted that may be more appropriate? Why should the Township rezone the land rather than amending the list of uses allowed in another zoning district which could also accommodate your intended use?

The NRPUD provides more flexibility for redevelopment of the site, while also providing the Township with more control over how this occurs, than does conventional zoning.

8. Describe any deed restrictions which could potentially affect the use of the property.

There are no deed restrictions impacting redevelopment of the property; however, future uses and how the site redevelops will be subject to the restrictions of the PUD Agreement, which will provide the Township with additional oversight.

C. Affidavit

The undersigned says that they are the representative (owner, lessee, or other specified interest) involved in this petition and that the foregoing answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of his/her knowledge and belief.

BY: [Signature] Kelly VanMarter
ADDRESS: 2911 Dorr Rd., Brighton 48116

SIGNATURE

Contact Information - Review Letters and Correspondence shall be forwarded to the following:

1. Genoa Township of _____ at (____) _____
Name Business Affiliation Fax No.

FEE EXCEEDANCE AGREEMENT

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

PROJECT NAME: [Signature] _____

PROJECT LOCATON & DESCRIPTION: _____

SIGNATURE: _____ DATE: _____

PRINT NAME: _____ PHONE: _____

COMPANY NAME & ADDRESS: _____



GENOA CHARTER TOWNSHIP APPLICATION Planned Unit Development (PUD)

APPLICANT NAME: Genoa Township (Kelly VanMarter, Asst. Township Manager)

APPLICANT EMAIL: kelly@genoa.org

APPLICANT ADDRESS & PHONE: 2911 Dorr Rd, Brighton, MI 48116, (810) 227-5225

OWNER'S NAME: Howell Public Schools

OWNER ADDRESS & PHONE: 411 N Highlander Way, Suite C, Howell, MI 48843
()

TAX CODE(S): _____

QUALIFYING CONDITIONS (To be filled out by applicant)

1. A PUD zoning classification may be initiated only by a petition
2. It is desired and requested that the foregoing property be rezoned to the following type of PUD designation:
 - Residential Planned Unit Development (RPUD)
 - Planned Industrial District (PID)
 - Mixed Use Planned Unit Development (MUPUD)
 - Redevelopment Planned Unit Development (RDPUD)
 - Non-residential Planned Unit Development (NRPUD)
 - Town Center Planned Unit Development (TCPUD)
3. The planned unit development site shall be under the control of one owner or group of owners and shall be capable of being planned and developed as one integral unit.

EXPLAIN Howell Public Schools owns the parcel as described in the real property agreement with Genoa Township dated April 10, 2012

4. The site shall have a minimum area of twenty (20) acres of contiguous land, provided such minimum may be reduced by the Township Board as follows:
 - A. The minimum area requirement may be reduced to five (5) acres for sites served by both public water and public sewer.
 - B. The minimum lot area may be waived for sites zoned for commercial use (NSD, GCD or RCD) where the site is occupied by a nonconforming commercial, office or industrial building, all buildings on such site are proposed to be removed and a new use permitted within the underlying zoning district is to be established. The Township Board shall only permit the PUD on the smaller site where it finds that the flexibility in dimensional standards is necessary to allow for innovative design in redeveloping the site and an existing blighted situation will be eliminated. A parallel plan shall be provided showing how the site could be redeveloped without the use of the PUD to allow the

Planning Commission to evaluate whether the modifications to dimensional standards are the minimum necessary to allow redevelopment of the site, while still meeting the spirit and intent of the ordinance.

- C. The PUD site plan shall provide one or more of the following benefits not possible under the standards of another zoning district, as determined by the Planning Commission:
- preservation of significant natural or historic features
 - a complementary mixture of uses or a variety of housing types
 - common open space for passive or active recreational use
 - mitigation to offset impacts
 - redevelopment of a nonconforming site where creative design can address unique site constraints.
- D. The site shall be served by public sewer and water. The Township may approve a residential PUD that is not served by public sewer or water, provided all lots shall be at least one (1) acre in area and the requirements of the County Health Department shall be met.

Size of property is 14.57 acres.

DESCRIBE BELOW HOW THE REQUESTED PUD DESIGNATION COMPLIES WITH AFOREMENTIONED MINIMUM LOT SIZE REQUIREMENTS.

The property was formerly home to the Latson Elementary School, which was closed. The site has remained unoccupied for some time and the intent is to redevelop an under-utilized site. The property is served by public water and sewer and will provide a complementary mixture of non-residential uses with a higher level of building and site design (consistent with the Township Master Plan) than would otherwise be required under conventional zoning.

STANDARDS FOR REZONING TO PLANNED UNIT DEVELOPMENT (RESPOND HERE OR WITHIN THE IMPACT STATEMENT)

1. How would the PUD be consistent with the goals, policies and future land use map of the Genoa Township Master Plan, including any subarea or corridor studies. If conditions have changed since the Master Plan was adopted, the consistency with recent development trends in the area;

Response within impact statement

2. The compatibility of all the potential uses in the PUD with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values,

Response within impact statement

3. The capacity of infrastructure and services sufficient to accommodate the uses permitted in the requested district without compromising the "health, safety and welfare" of the Township;

Response within impact statement

4 The apparent demand for the types of uses permitted in the PUD,

Response within impact statement

AFFIDAVIT

The undersigned says that they are the representative (owner, lessee, or other specified interest) involved in this petition and that the foregoing answers and statements herein contained and the information herewith submitted are in all respects true and correct to the best of his/her knowledge and belief.

BY: [Signature] Kelly VanMarter
ADDRESS: 2911 Dorr Rd., Brighton 48116

Contact Information - Review Letters and Correspondence shall be forwarded to the following
12 Genoa Township of _____ at _____
Name Business Affiliation E-mail

FEE EXCEEDANCE AGREEMENT
As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.

PROJECT NAME: _____

PROJECT LOCATON & DESCRIPTION: _____

SIGNATURE: _____ DATE: _____

PRINT NAME: _____ PHONE: _____

COMPANY NAME & ADDRESS: _____



GENOA CHARTER TOWNSHIP APPLICATION

Site Plan Review

TO THE GENOA TOWNSHIP PLANNING COMMISSION AND TOWNSHIP BOARD:

APPLICANT NAME & ADDRESS: Genoa Township 2911 Dorr Rd. Brighton, MI 48116
If applicant is not the owner, a letter of Authorization from Property Owner is needed.

OWNER'S NAME & ADDRESS: Howell Public Schools 411 N Highlander Way, Suite C, Howell, MI 48843

SITE ADDRESS: 1201 S. Latson Rd. **PARCEL #(s):** 11-09-100-011

APPLICANT PHONE: (810) 227-5225 **OWNER PHONE:** ()

OWNER EMAIL: _____

LOCATION AND BRIEF DESCRIPTION OF SITE: East side of Latson Road, between Grand River Avenue and the I-96/Latson Road interchange. The approximately 14.5-acre site is the former home of the Latson Elementary School.

BRIEF STATEMENT OF PROPOSED USE: If approved, the proposed redevelopment of the former school site will be done under the PUD option. Ultimate uses on the site will be limited to those agreed upon by the applicant and Township, but are generally expected to be compatible with regional commercial uses (RCD as noted in the Zoning Ordinance).

THE FOLLOWING BUILDINGS ARE PROPOSED: Please see attached PUD Concept Plan and optional alternative plans.

I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

BY: Kelly VanMarter 

ADDRESS: 2911 Dorr Rd., Brighton 48116

| | | |
|---|-------------------------------------|-------------------------------|
| Contact Information - Review Letters and Correspondence shall be forwarded to the following: | | |
| 1.) _____ | of _____ | at _____ |
| <small>Name</small> | <small>Business Affiliation</small> | <small>E-mail Address</small> |

| |
|--|
| <p align="center">FEE EXCEEDANCE AGREEMENT</p> <p>As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy.</p> |
|--|

**STATE OF MICHIGAN
COUNTY OF LIVINGSTON
GENOA CHARTER TOWNSHIP**

**PLANNED UNIT DEVELOPMENT AGREEMENT FOR FORMER LATSON ELEMENTARY
SCHOOL PROPERTY**

THIS PLANNED UNIT DEVELOPMENT AGREEMENT is made and entered into on this ____ day of _____, 2014, by **Howell Public Schools**, a Michigan general powers school district, whose address is 411 N. Highlander Way, Suite C, Howell Michigan 48843 (referred to as "HPS") and **Genoa Charter Township**, a Michigan municipal corporation, whose address is 2911 Dorr Road, Brighton, Michigan referred to as "Township").

RECITATIONS:

The HPS possesses fee title to certain real property situated in the Genoa Charter Township, County of Livingston, and State of Michigan, more particularly described in Exhibit A, (referred to as "Property").

The recent completion of the adjacent Latson Road interchange required a portion of the previous Latson Elementary School site, which was agreed upon by HPS and Township in a Real Property Benefits Agreement, dated April 10, 2012, (Exhibit F). In this agreement, the remainder of the parcel was agreed to by both parties to be developed as a Non-residential PUD. This follows the Master Plan future land use designation of this Property as regional commercial. These uses will complement nearby commercial uses and future uses that will arise from the newly created demand of the interchange.

HPS has a preferred concept plan (Exhibit B), but also includes two additional concepts that are variants of the preferred plan (Exhibits B-1 and B-2). Any of these three concepts may be considered upon securing a developer for the property.

The Township Planning Commission and Township Board, in strict compliance with the Township Zoning Ordinance and with Act 110 of the Public Acts of 2006, as amended, reclassified the Property as Non-Residential Planned Unit Development District, finding that such classification properly achieves the purpose of Article 10 of the Genoa Township Zoning Ordinance, including the encouragement of innovation in land use, the preservation of open space in areas adjacent to S. Latson Road and properties to the north and east in order to achieve compatibility with adjacent land uses, the promotion of efficient provision of public services and utilities, the reduction of adverse traffic impacts, and the provision of adequate employment. Further the Township Planning Commission and Township Board find the Non-Residential Planned Unit Development District and the PUD Plan are consistent with the Township Master Plan.

The Township has found and concluded that the uses and future development plans for the Property and conditions shown on the approved PUD Concept Plan, attached as Exhibit B ("PUD Plan"), are reasonable and promote the public health, safety, and welfare of the Township, and that they are consistent with the plans and objectives of the Township and consistent with surrounding uses of land.

NOW, THEREFORE, OWNER AND TOWNSHIP, in consideration of the mutual promises contained in the Agreement, HEREBY AGREE AS FOLLOWS:

ARTICLE I. GENERAL TERMS OF AGREEMENT

- 1.1 The Township and HPS acknowledge and represent that the recitations set forth above are true, accurate, and binding.

3-14-14 Draft

(Incorporates comments by Planning Commission)

- 1.2 The Township acknowledges and represents that this Agreement may be relied upon for future land use and development of the Property by HPS's successors, assigns, and transferees.
- 1.3 The PUD Concept Plan, attached as Exhibit B, (or Exhibits B-1 and B-2), has been duly approved by the Township in accordance with all applicable Township ordinances, and depicts the land uses which will be permitted and which may be developed on the Property. All formal actions necessary or expedient to carry out this Agreement shall be taken by the parties without undue delay consistent with the Township's ordinances and policies.
- 1.4 Except as specifically provided for in this Agreement, final site plans will comply with applicable Zoning Ordinance requirements. However, at the time of review of respective site plans for the development of various portions of the Property, deviations from ordinance regulations may be agreed upon by the Township and HPS. Changes to the PUD Concept Plan or PUD Agreement will be processed as outlined in the Zoning Ordinance.
- 1.5 The PUD Plan identifies the location and configuration of the authorized land uses that may be developed on the Property, except as noted in 1.3 above.
 - A. All uses authorized as permitted or as may be authorized by special land use are defined in Exhibit C.
 - B. HPS shall be permitted to create parcels and to adjust the size and shape of such parcels, provided the creation or adjustment does not alter the land use designation for any area of the Property or increase the intensity and/or density of use. Modifications shall be comparable to the alternative Concept Plans (Exhibits B, B-1 and B-2). All development shall be subject to Final PUD Site Plan and land division (if necessary) approval. In addition:
 1. HPS shall not be entitled to make a modification which substantially increases the impact upon adjoining properties or facilities without the approval of Township.
 2. HPS may make other changes consistent with the provisions of Article 10 of the Township's Zoning Ordinance.
 - C. The sizes of the various parcels within the land use designations shall be subject to modification under the applicable regulations of the Zoning Ordinance and state law.
- 1.6 This Agreement, including the uses approved on the PUD Plan, are for the benefit of the Property, and shall run with the Property, and shall bind and inure to the benefit of the successors, assigns and transferees of the parties to this Agreement.

ARTICLE II. LAND USE AUTHORIZATION

- 2.1 The Planned Unit Development shall include a land use authorization for the uses agreed upon by HPS and Township as listed in Exhibit C.
- 2.2 No construction shall be permitted until HPS has received final site plan approval in accordance with Genoa Township ordinances. If the Property is divided into parcels,

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(Incorporates comments by Planning Commission)

more detailed planning for the development of the Property may be undertaken on a parcel-by-parcel basis, subject to the intent and obligation to coordinate development of the Property as a whole, as specified hereinafter. HPS, as dictated by HPS's transferees, shall determine the timing and order of development subject to the Township's Zoning Ordinance. At the time HPS, and the HPS's assigns and transferees, are prepared to develop each portion or phase of the Property, a plan prepared in the form required by applicable ordinance and law, including impact assessments required by the Township, and consistent with this Agreement, shall be submitted for review and approval. The Township shall review each of such plans within a reasonable time. Site plan and other review requirements shall not be subject to any subsequent enactments or amendments of the Zoning Ordinance which are inconsistent with this Agreement unless the concept plan as set forth herein is materially altered at the request of HPS or its successors and assigns. Provided however, the PUD Concept Plan attached as Exhibit B is also approved as described herein.

- 2.3 If a use authorized under Exhibit C as a special land use is proposed on the Property, such use must be applied for and authorized as provided in the Zoning Ordinance. No storage of trucks, trailers or similar delivery vehicles or containers shall be stored on site for more than twenty-four (24) hours unless they are being actively loaded or unloaded.
- 2.5 A minimum 15% of the site shall be open space as agreed to in Exhibit D. This requires a deviation from 25% as defined in Article 10 of the Zoning Ordinance. Such open space shall be dispersed throughout the site. Open space is defined as undisturbed areas of key natural features, detention ponds, landscaped areas or plazas. Detention areas shall comprise no more than 50% of the required open space.
- 2.7 Notwithstanding the current code, the principal structure and parking lot must be set back in accordance with Exhibit B. There shall be only one automobile service station allowed.

ARTICLE III. CURB CUTS AND OFF -SITE TRANSPORTATION IMPROVEMENTS

- 3.1 The establishment of curb cuts and driveways to public thoroughfares from the PUD Property shall be limited and restricted for the purpose of reducing the number of turning movements to and from the Property.
- 3.2 Off-Site Improvements in Public Right of Way.
 - A. Traffic Signal. The Township acknowledges that the Livingston County Road Commission ("LCRC") will provide, at its cost, a traffic signal which will permit the efficient flow of vehicular traffic to and from the Property and Latson Road. The Township will cooperate with the LCRC and HPS (or its successors, as applicable) for the installation of said traffic signal. The LCRC shall install the traffic signal as set forth in the Livingston County Road Commission - RGL Howell, LLC and GCG Howell, LLC Agreement to Transfer Property dated August 30, 2011 (the "Agreement to Transfer"), or at such time a site plan is approved for any portion of the Remaining Parcel provided that HPS, or its successors, reach an agreement with the LCRC.
 - B. Improvement of Intersection. The Parties agree that the costs of the acceleration and deceleration lanes are the obligation of MDOT up to the "spring lines" on the North side of the Interchange. The costs of the "extension" of these lanes will be

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subject to further negotiation between MDOT and LCRC. It is understood that although HPS and its successors and assigns will be permitted to have a voice at the preconstruction meetings, HPS will not be empowered to vote on any final decisions. It is further understood by the Parties that HPS, its successors and assigns and/or other occupants of the Property will be required, at their expense, to perform a limited traffic study to determine the length of the acceleration/deceleration lanes.

- C. Entryway to Property. The Township represents and warrants that it will obtain LCRC's consent that the width of the entryway to the Property at the Latson Road intersection where the traffic signal is located not be less than the width of Grand Oaks Drive and the density of the Remaining Parcel will not be reduced by the width of the entryway drive.

ARTICLE IV. INTERNAL ROAD NETWORK

- 4.1 Internal access shall be established between the various uses and buildings as shown in Exhibit B (or B-1 or B-2, as applicable).

ARTICLE V. DRAINAGE

- 5.1 The on-site drainage system will be built by HPS or its assigns following review and approval by the Township Engineer and Livingston County Drain Commissioner.

ARTICLE VI. SITE IMPROVEMENTS

- 6.1 There shall be a coordination of site improvements within the overall Property, with the objective of creating site improvements that are integrated and mutually supportive among the respective portions or phases of the development, including the utilities, landscaping and lighting.
- 6.2 A pedestrian network shall be constructed by HPS or its assigns on the east side of Latson, per Township standards.
- 6.3 Development shall be undertaken with underground electrical service to the buildings on the Property. Public utility lines in existing or future easements shall be permitted overhead so long as the buildings are serviced from underground.
- 6.4 The following site elements shall be provided:
 - A. Site design and landscaping shall diminish the prominence of parking lots as viewed from public streets.
 - B. Extensive greenways and tree-lined drives shall be within parking lots and throughout the site to improve traffic operations and views
 - C. Landscaping shall include all required plantings pursuant to section 12.02 of the Zoning Ordinance and as shown on the approved final PUD site plan.
 - E. Ornamental lighting shall be provided along Latson Road right of ways consistent with other recent developments along the roadway.

- F. Ongoing maintenance and repair or replacement of site design elements, such as common landscaping, lighting, and joint freestanding signage shall be maintained by either the developer, or a lot owner, or association.
- G. The parking lot configuration, sizes and quantities of stalls, shall be accepted as shown on a final site plan as approved by the Township.

ARTICLE VII. DESIGN OF BUILDING AND SIGNS

- 7.1 The architecture, building materials, colors and shapes of all buildings shall be in substantial conformity with the guidelines set forth in the Genoa Township Zoning Ordinance, as adopted, and as it may be amended. It is the intention of the parties to promote and encourage a development that incorporates varying building lines, natural earth tone construction materials and other elements contemplated to upgrade the appearance of the development overall in the interest of making it aesthetically pleasing. Flat front roof facades shall be discouraged. Large walls shall include varying building lines, setbacks, color accents, windows or other elements to upgrade appearance. Each site plan will include a narrative or illustration(s) that demonstrates the design will be consistent with, or complement architecture of the other sites. Buildings shall utilize high quality architecture with variable building lines, peaked roofs and architectural accents. Brick facades or tilt up panels with brick shaped forms or other natural materials (i.e., brick, stone, etc.) shall be used for certain building faces.

Other materials may be used for architectural accents provided such materials shall have the appearance of cut or cast stone or stucco. Out parcel buildings shall have wall surfaces with at least eighty percent (80%) natural materials (i.e., brick, stone, etc.).

- 7.2 Signage: Freestanding signs for individual lots within the PUD shall be ground mounted (monument) signs. No pole signs shall be permitted. All freestanding signs shall have a base constructed of materials that coordinate and are not inconsistent with the building, and other signs within the PUD. In addition, there shall be permitted one highway sign, such sign shall be a maximum of 200 square feet, shall not exceed thirty (30) feet in height and shall be permitted to advertise users in the project. Each individual lot within the PUD shall be limited to monument signs no taller than 6 feet and no larger than 72 square feet in area. All wall signs shall have channel lettering or individual letters (not panels). All freestanding lighted signs shall be internally lit. Additional wall, highway and other signs shall be permitted as authorized in the Zoning Ordinance.
- 7.3 Landscaping and site lighting: The landscaping within the PUD shall demonstrate consistency in terms of design and materials. Generally, site lighting shall be a uniform type and color. All ornamental lighting shall be of the same style as nearby non-residential PUDs.

ARTICLE VIII. UTILITIES

- 8.1 Capacity. The Township represents and warrants that the capacity is available for water and sanitary sewer for any future development of the Property at no cost to HPS its successors and assigns.
- 8.2 Residential Equivalent Units ("REUs") for Sanitary Sewer and Water. The Township acknowledges that the Property currently has 22 residential equivalent units (REUs) for sanitary sewer and 20 REUs for water and may be utilized by the District, its successors and assigns, for the future development of the Property. In addition, the Township agrees

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(Incorporates comments by Planning Commission)

to provide an additional five (5) REUs for sanitary sewer and seven (7) REU's for water, at no cost, which additional REUs can be utilized by HPS, its successors and assigns, for the future development of the Property. The Township represents and warrants that any additional REUs needed by HPS, its successors and assigns, for the future development of the Property shall be priced at the current 2012 pricing of \$5,000 per REU for water and \$5,500 per REU for sanitary sewer. HPS agrees that all REUs described in this paragraph are only assignable to a successor in title or interest of the Property.

- 8.3 No Other Fees. Other than the REU fees stated above, there are currently no additional connection or capital fees charged by the Township. Other than the fees set forth in subparagraph 8.2 above, no other connection fees shall be imposed upon HPS, its successor and assigns with regard to the Property. In addition, the Township represents and agrees that the existing 15" gravity sewer on Grand River is at capacity and the Township shall not impose any additional costs on HPS related to increasing the capacity of the Grand River sewer to serve the Property and that the Grand River sewer is the only present sewer capacity constraint for the Property. Notwithstanding the above and except as provided in subparagraph 8.1 above, the Remaining Parcel shall not be exempted from charges for any sewer system upgrades that benefit the system and are borne on a pro-rata basis by the users of the system. Notwithstanding the foregoing, HPS, its successors and assigns will be subject to fees required for engineering, inspection and fees imposed by other local units of government for the Property.

ARTICLE IX. MISCELLANEOUS

- 9.1 This Agreement may not be modified, replaced, amended or terminated without the prior written consent of the parties to this Agreement. HPS and the Township shall be entitled to modify, replace or amend this Agreement without the consent of any other person or entity, regardless of whether such person or entity now or hereafter has any interest in any part of the Property, including subsequent purchasers, or their tenants, mortgagees, or others.
- 9.2 Reference in this Agreement to activities by HPS in relation to development is intended to include HPS's transferees and assigns unless context dictates to the contrary.
- 9.3 In the event of any direct conflict between the specific terms and provisions of this Agreement (including the attached PUD Plan), the provisions of the Real Property Benefits Agreement between the parties dated April 10, 2012, the Agreement to Transfer Real Property between the parties, dated March 26, 2012, the provisions of the Zoning Ordinance, or other Township ordinances, rules or regulations, order of priority shall be: (1) the terms of the Real Property Benefits Agreement; (2) this Agreement; (3) the Agreement to Transfer Real Property; and (4) the Township's Zoning Ordinance or other Township ordinances, rules or regulations.
- 9.4 In the event a portion of the Property is submitted for site plan approval, and such approval is denied, the party submitting such site plan shall be entitled to appeal such decision to the Zoning Board of Appeals as provided by law, and all parties shall agree to proceed expeditiously to final resolution.
- 9.5 The undersigned parties acknowledge that the conditions imposed upon the development of the property are reasonable conditions necessary to ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the

natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Further, it is acknowledged that the conditions meet all of the requirements of MSA 5.2963(16d)(2)(a)(b) and (c).

- 9.6 Until the Property is fully developed, each site plan applicant shall be responsible following Township approval of the respective site plan, plat and/or site condominium presented to the Township to superimpose the approved plan of development upon the overall PUD plan to clearly illustrate the final development plan for each portion of the Property.
- 9.7 Minimum dimensional standards shall be as described in Exhibit C.

Exhibit List

- Exhibit A: Cover/Existing Conditions Sheet
- Exhibit B: PUD Concept Plan
- Exhibit B-1: Concept Plan Option B
- Exhibit B-2: Concept Plan Option C
- Exhibit B-3: Concept Plans Programming Detail
- Exhibit C: Use Table
- Exhibit D: Real Property Agreement (dated 4-10-12)
- Exhibit E: Survey (dated 4-25-12)
- Exhibit F: Design Guidelines for Interchange Commercial from Master Plan

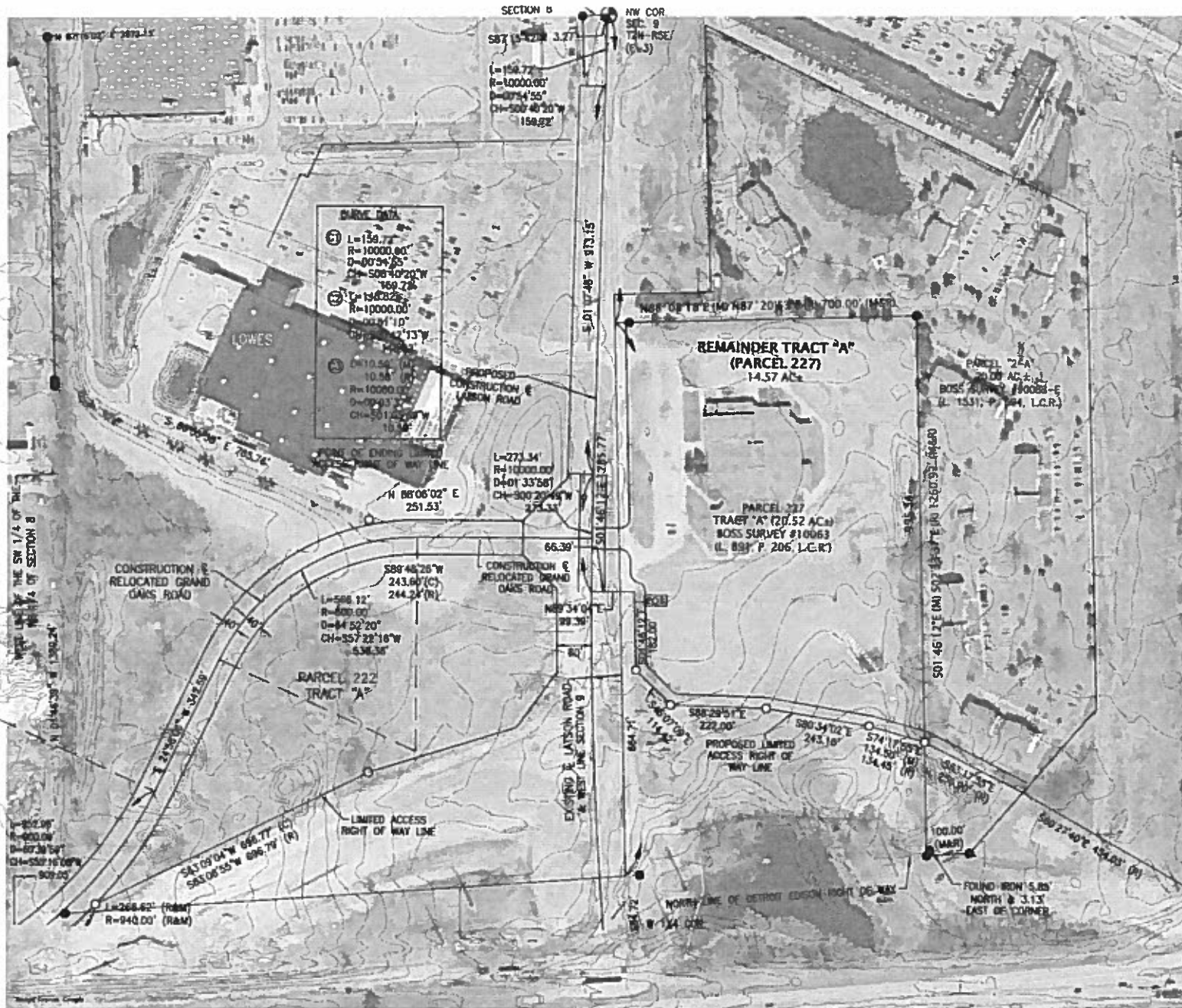


Exhibit A: Existing Site Conditions

Development
Former Latson Elementary School Site

Applicant:
Howell School District and Charter Township of Genoa

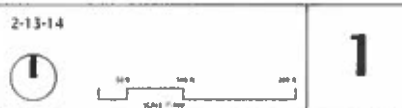
Preparer:
LSA Planning, a SAFBUILT Company
Rebekah Kil, BS Arch, M, Arch, SE Arch, Design & Urbanism
Kathleen Duffy, ACP, BS Arch, M, Urban Planning
Survey prepared by Boss Engineering

Legal Description
Part of the Northeast 1/4 of Section 9, Township 32N, Range 12W, Cass County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9, thence along the North line of Section 9, T22N-R12W, Cass Township, Livingston County, Michigan, 5.071542' W 3.27' thence along the Proposed Latson Road construction centerline, the following three (3) courses: (1) southerly along an arc right, having a length of 158.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55" and a long chord which bears S88°40'20" W 158.72' to the POINT OF BEGINNING of the Parcel; (2) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°15'47" and a long chord which bears S89°14'02" W 273.34' to the POINT OF BEGINNING of the Parcel; (3) southerly along an arc left, having a length of 598.12 feet, a radius of 10000.00 feet, a central angle of 04°52'20" and a long chord which bears S88°06'28" W 598.12' to the POINT OF BEGINNING of the Parcel. The remaining portion of the Parcel is bounded as follows: (1) southerly along the North line of Section 9, 5.071542' W 3.27' to the POINT OF BEGINNING of the Parcel; (2) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°15'47" and a long chord which bears S89°14'02" W 273.34' to the POINT OF BEGINNING of the Parcel; (3) southerly along an arc left, having a length of 598.12 feet, a radius of 10000.00 feet, a central angle of 04°52'20" and a long chord which bears S88°06'28" W 598.12' to the POINT OF BEGINNING of the Parcel. Also subject to any other easements or restrictions of record.



Current Land Use
The property is currently a vacant lot used for existing structures. It is directly adjacent to multiple-family residential to the north and east. Vacant parcels slated for conversion to planned multi-family development in the near future are to the west, and the new Latson Road interchange to the south.

Zoning
The property is currently zoned Rural Residential. The parcels to the north and east are zoned High-Density Residential. The parcels to the west are zoned Medium-Density Residential. The 200 to the south is zoned General Public and Recreational Facilities.



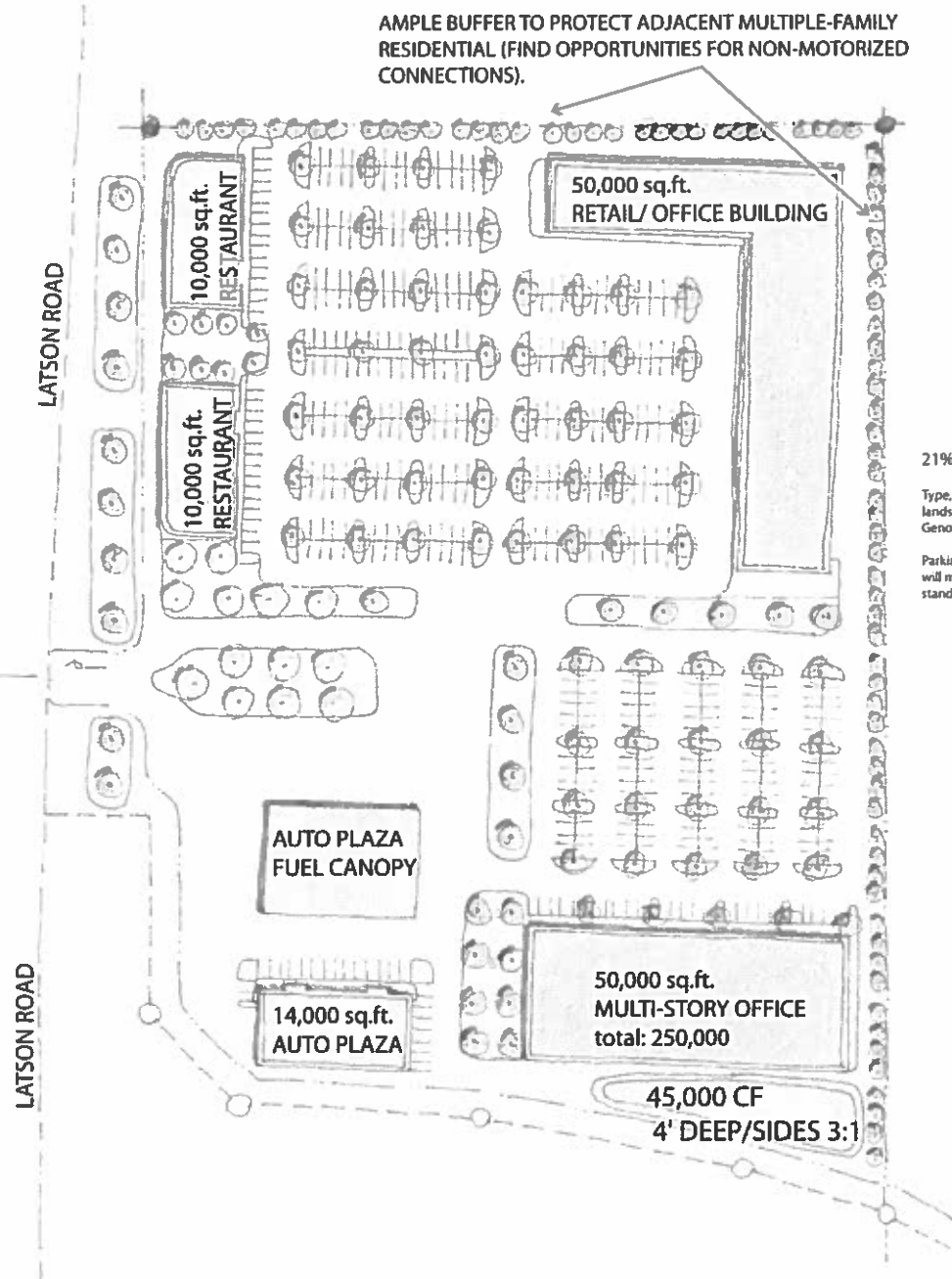


Exhibit B: Concept Plan

Development:
Former Latson Elementary School Site

Applicant:
Howell School District and Charter Township of Genoa

Preparer:
LSI Planning, a SAFEbuilt Company
Rebekah Fig, BS Arch., M. Arch., M. Arch. Design & Urbanism
Kathleen Duffy, AICP, BS Arch., M. Urban Planning
Survey prepared by Boss Engineering

21% OPEN SPACE
Type, size, and quantity of landscaping will comply with Genoa Township standards.
Parking and drive aisle dimensions will meet Genoa Township standards.

2-13-14



Exhibit B-1: Concept Plan Option B

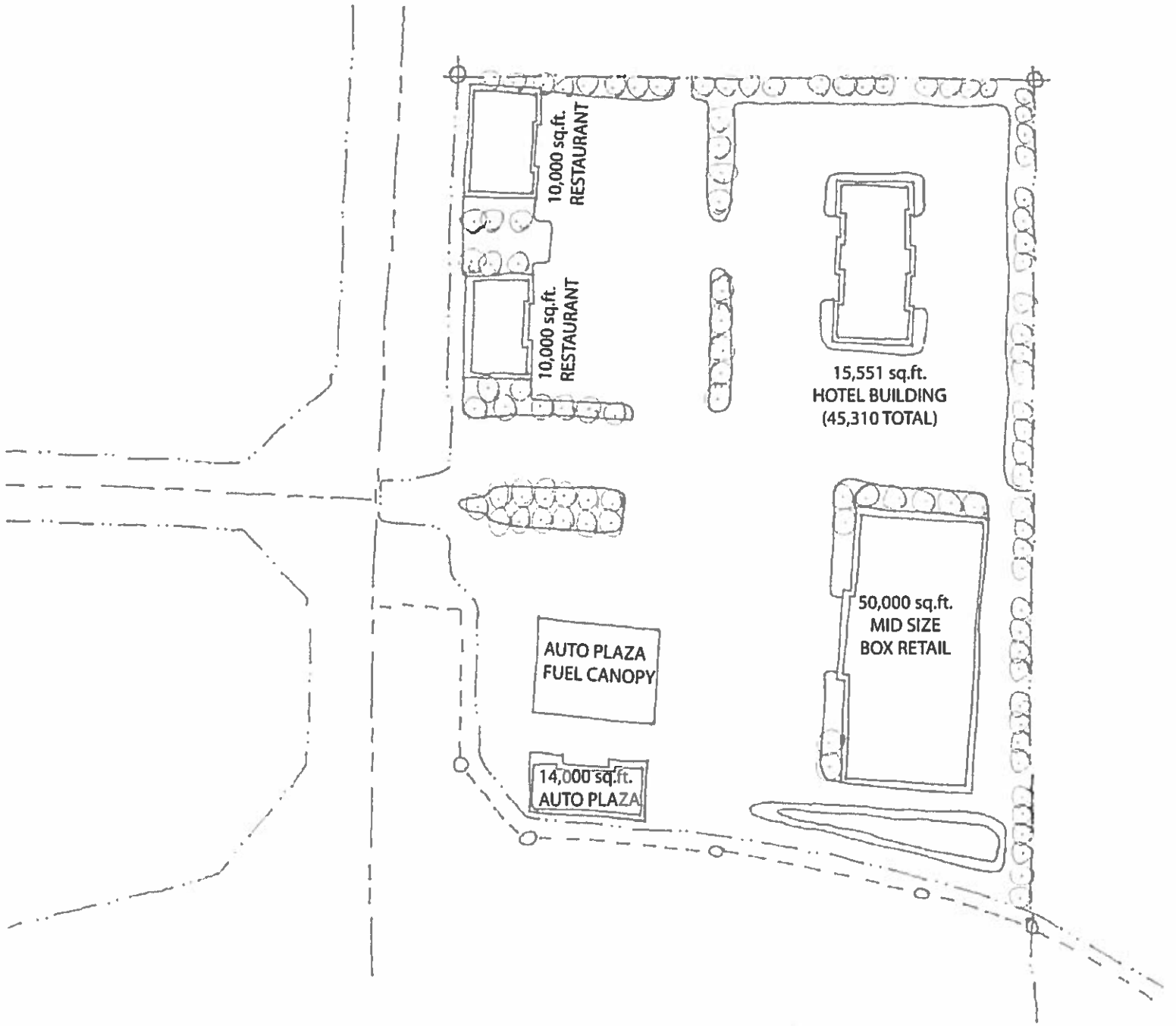


Exhibit B-2: Concept Plan Option C

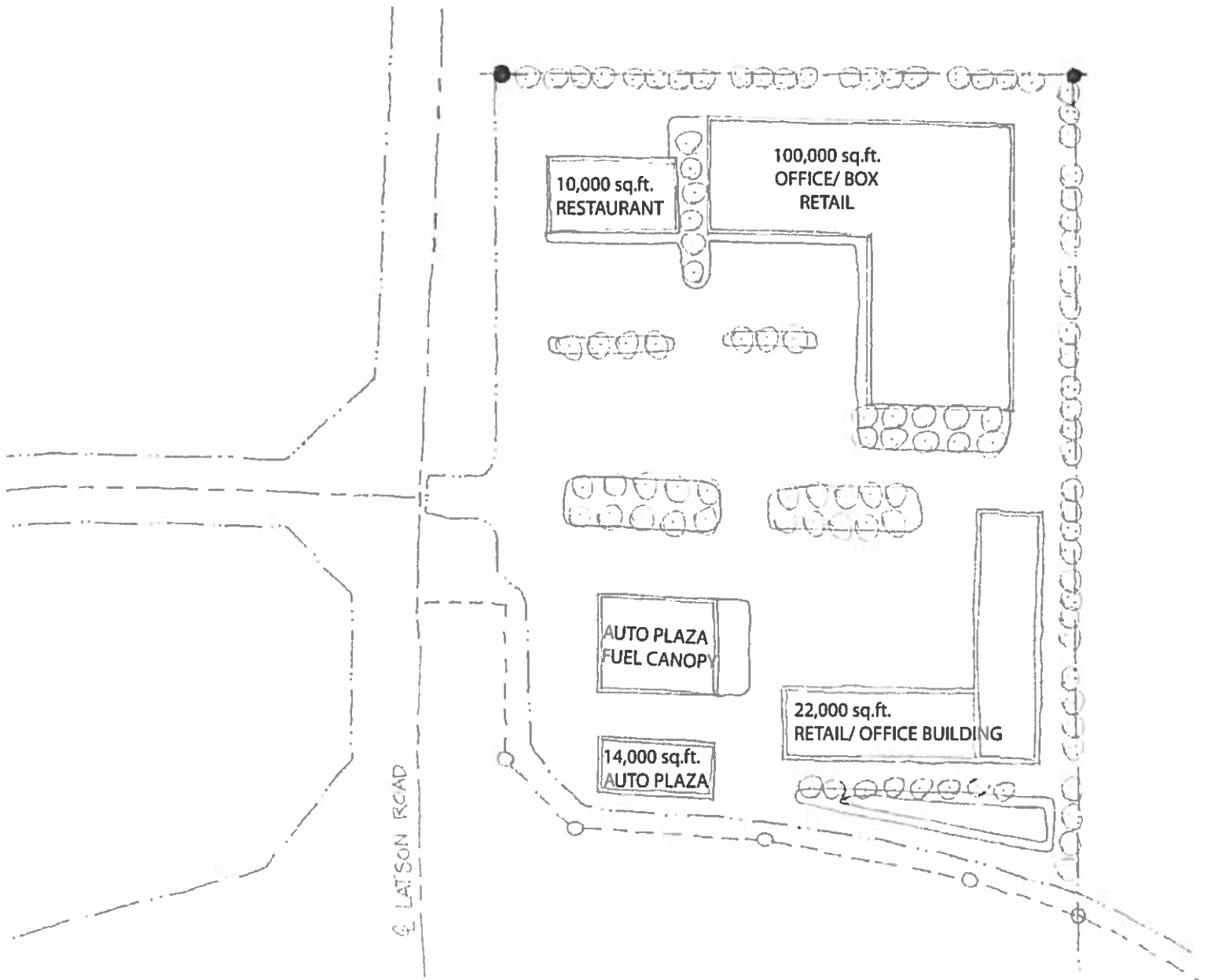


Exhibit B-3: Concept Plan Programming Detail

Option A

4 Parcel Divisions

Total Buildout - 330,000 square feet

Parking Required - 1,126 spaces

Water - 164.5

Office Complex 50,000 sqft building footprint

250,000 total with 5 floors

600 Max Parking* (this is a low estimated figure. Developer will probably need to incorporate a parking deck to meet 300 foot rule as well)

Water - 100

Retail/ Office Building

50,000 sqft

200 Max Parking

Water - 7.5

Sit Down Restaurant Model (i.e. Olive Garden)

(2)10,000 sqft

142 Max Parking Each

284 Total Parking

Water - 50

Fuel Plaza* (includes some kind of fast food service)

10,000 sqft

42 Max Parking

14,000 sqft estimated canopy for fuel pumps

* automobile oriented - not semi-truck

Water - 7 (high estimate)

Option B

4 Parcel Divisions at approx. 3.625 acres each

Total Buildout - 125,310 square feet

Parking Required - 617 spaces

Water - 89.5

Typical Hotel Model (found on Best Western website)

Parking Req'd - 91 (80 ROOMS/ 5 EMPLOYEES/ 6 MEETING SPACE)

Building Footprint- 16,861 (TOTAL 45,310) - 80 ROOMS

Hardscape - 49,262

Softscape - 18,093

TOTAL 84,216

Water - 25 (high estimate - 80 Rooms+)

Mid Size Box Retail (i.e. Bed Bath & Beyond)

50,000 sqft

200 Max Parking

Water - 7.5

Sit Down Restaurant Models (i.e. Olive Garden)

10,000 sqft

142 Max Parking Each

284 Max Parking

Water - 50 Total

Fuel Plaza* (includes some kind of fast food service)

10,000 sqft

42 Max Parking

14,000 sqft estimated canopy for fuel pumps

* automobile oriented - not semi-truck

Water - 7 (high estimate)

Option C

3 Parcel Divisions (1 at 7.25 acres; 2 at 3.625 acres)

Total Buildout - 141,600 square feet

Parking Required - 692 spaces

Water - 55.64

Large Box Retail (i.e. Target)

100,000 sqft

400 Max Parking

Water - 15

Sit Down Restaurant Model (i.e. Olive Garden)

10,000 sqft

142 Max Parking

Water - 25

Fuel Plaza* (includes some kind of fast food service)

10,000 sqft

42 Max Parking

14,000 sqft estimated canopy for fuel pumps

* automobile oriented - not semi-truck

Water - 7 (high estimate)

Office/ Retail Strips (i.e. salons, insurance agency, sm. food establishment)

(2) 10,800 sqft. (Each division 30 feet wide x 60 feet deep -1,800 sqft each space)

Total 108 Max Parking

Water - 8.64 (Total for both - estimated for the higher .40 water in Office use)

Exhibit C: Zoning Concessions
(from Real Property Agreement dated 4-10-12)

| | | Howell Schools Latson Elementary Property Remainder |
|---|--|--|
| Minimum Lot Area | | 1 acre |
| Minimum Lot Width | | 120 feet |
| Front Yard Setback | | 20 feet |
| Side Yard Setback | | 10 feet |
| Rear Yard Setback | | 20 feet |
| Parking Lot Setback - front | | 10 feet |
| Parking Lot Setback - side/rear | | 5 feet |
| Maximum Lot Coverage | | 50% building / 85% impervious |
| Maximum Building Height | | 75 feet & 5 stories |
| Open Space | | 15% |
| Traffic Study | | Limited Traffic Study |
| Signage | | 2 Highway Signs –200 sq. ft. & 30' tall |
| Land Uses: | | |
| <i>("P" is permitted, "S" is Special Land Use, Unlisted uses are not permitted)</i> | | Howell Public Schools Remainder Parcel |
| Retail Uses | | |
| Retail establishments and shopping centers which provide goods such as bakery goods, including bakery items produced on the premises, groceries, produce, meats, provided no slaughtering shall take place on the premises, seafood; dairy products, beverages appliances, electronics, furniture, and home furnishings, apparel, jewelry, art, pharmaceuticals, home improvement supplies, hardware, and garden supplies, sporting goods, bicycles, toys, hobby crafts, videos (rental, and sales), music, musical instruments, books, computer hardware and software, antiques, flower shops, greeting card shops, auto parts and similar establishments not specifically addressed elsewhere | Uses up to 20,000 square feet gross floor area | P |
| | Uses 15,001 - 30,000 square feet of gross floor area | P 2 uses up to 40,000 sq. ft. |
| | Uses 30,000 - 60,000 square feet of gross floor area | P 2 uses up to 40,000 sq. ft. |
| | Uses over 60,000 square feet of gross floor area | S* *Except 1 retail use up to 300,000 sq. ft.. shall be permitted by right. |
| | Pharmacies with drive-up window | P, one only. Additional if Special Use Conditions are met. |
| Automobile, motorcycle, boat and recreational vehicle sales, new and used | | S |
| Outdoor commercial display, sales or storage | | S |
| Service Uses | | |
| Banquet halls, assembly halls, dance halls, private clubs, fraternal order halls, lodge halls or other similar places of assembly | | P |
| Business services such as mailing, copying, data processing and retail office supplies | | P |
| Child care centers, preschool and commercial day care | | P |
| Conference Centers | | P |

| | | |
|---|--|---|
| Bed and breakfast inns, hotels and motels with no more than 25 rooms not including accessory convention/meeting facilities or restaurants These uses may include the residence for the owner/manger's family | | P |
| Hotels and motels with more than 25 rooms including accessory convention/meeting facilities and restaurants | | P |
| Personal and business service establishments, performing services on the premises, including: dry cleaning drop-off stations (without on site processing), photographic studios, copy centers, mailing centers, data processing centers, dressmakers and tailors, shoe repair shops, tanning salons, beauty parlors, barber shops, and similar establishments | | P |
| Dry cleaning drop-off stations with drive-through service | | P, one only. Additional if Special Use Conditions are met. |
| Restaurants, taverns, bars, delicatessen, food carryout, and similar establishments serving food or beverages | Standard restaurants, except as provided below | P |
| | Restaurants and bars serving alcoholic beverages | P |
| | Bars providing dancing and live music | P |
| | Restaurants with open front windows | P, one only. Additional if Special Use Conditions are met. |
| | Restaurants with outdoor seating | P |
| | Drive-through restaurants | P, up to two. Additional if Special Use Conditions are met. 500' separation not required. |
| | Drive- in restaurants | S |
| Carry-out restaurants | | P |
| Studios of photographers and artists | | P |
| Tattoo parlors | | P |
| Tool and equipment rental, excluding vehicles | | S |
| Auto Service Uses | | |
| Minor auto repair establishment | | P |
| Auto/gasoline service station | | P, up to two. Additional if Special Use Conditions are met. 500' separation not required. |
| Automobile wash, automatic or self serve | | P – w/conditions in PUD |
| Office Service and Medical Uses | | |
| Banks, credit unions, savings and loan establishments and similar financial institutions | With up to 3 drive-through teller windows | P |
| | With more than 3 drive-through teller windows | P, one only with up to 5 drive-through. Additional if Special Use Conditions are met. |
| | Stand alone automatic drive-up teller machines | P, one only if a principle use. Additional if Special Use Conditions are met. |
| Hospitals | | P |

| | | |
|--|---|--|
| Offices of non-profit professional, civic, social, political and religious organizations | | P |
| Medical urgent care facilities, medical centers and clinics | | P |
| Medical offices of doctors, dentists, optometrists, chiropractors, psychiatrists, psychologists and similar or allied professions, excluding clinics, and urgent care centers | Buildings up to 15,000 square feet of gross floor area | P |
| | Buildings over 15,000 square feet of gross floor area | P |
| Offices of lawyers, engineers, architects, insurance, and real estate agents, financial consultants, and brokers, advertising offices, accounting, and bookkeeping services, clerical, and stenographic services, sales offices, other types of executive, or administrative offices and similar or allied professions | Buildings up to 15,000 square feet of gross floor area | P |
| | Buildings between 15,000 and 55,000 square feet of gross floor area | P |
| | Buildings over 55,000 square feet of gross floor area | P |
| Recreation | | |
| Motion picture theaters | | P |
| Public parks and open space | | P |
| Miniature golf courses and driving ranges | | S |
| Recreation (indoor) such as bowling alleys, skating rinks, arcades, archery indoor golf or softball | | S |
| Health clubs, fitness centers, gyms and aerobic clubs | | P |
| Education | | |
| Commercial schools and studios for teaching photography, art, music, theater, dance, martial arts, ballet, etc | | P |
| Vocational and technical training facilities | | P |
| Public/Institutional | | |
| Bus passenger stations | | S |
| Churches, temples and similar places of worship and related facilities | | S, no facility shall occupy more than 4 acres of land. |
| Essential public services and structures, not including buildings and storage yards | | S |
| Public/government buildings such as; township/state/county offices, public museums, libraries and community centers | | S |
| Accessory Uses | | |
| Accessory temporary outdoor sales and events | | P |
| Accessory drive-through service not listed above | | P, one only. Additional if Special Use Conditions are met. |
| Accessory uses, buildings and structures customarily incidental to any of the above | | P |
| Accessory fuel storage and use or storage of hazardous materials | | S |



//

REAL PROPERTY BENEFITS AGREEMENT

This Real Property Benefits Agreement is entered into on this 10th day of April, 2012, by and between Howell Public Schools, a Michigan general powers school district, whose address is 411 N. Highlander Way, Suite C, Howell, Michigan 48843 ("HPS" or the "District") and Genoa Charter Township, a Michigan municipal corporation organized under the laws and statutes of the State of Michigan, whose address is 2911 Dorr Road, Brighton, Michigan (the "Township") (individually a "Party" and collectively, the "Parties") upon the terms and conditions set forth below:

WHEREAS, HPS is the owner of a parcel of real property located in the Charter Township of Genoa, Livingston County, Michigan, as described and shown on **Exhibit A** (the "Property"), which is presently the location of the Latson Road Elementary School consisting of 20.52 acres of land, more or less commonly known 1201 S. Latson Road, Charter Township of Genoa, Michigan.

WHEREAS, the Michigan Department of Transportation ("MDOT") has proposed to construct a new interchange at Latson Road providing ingress and egress to eastbound and westbound Interstate 96 (the "Interchange").

WHEREAS, the Township has assisted MDOT and the Livingston County Road Commission in acquiring parcels of land necessary for the construction of the Interchange and related improvements.

WHEREAS, a portion of the Property consisting of 5.95 acres, more or less (including 5.45+/- acres net of existing MDOT right-of-way) (the "Acquired Parcel") as described in **Exhibit B** is necessary for the construction of the Interchange.

WHEREAS, on the date stated above, HPS is selling to, via Warranty Deed of even date herewith, and the Township is acquiring the Acquired Parcel.

WHEREAS, as consideration for the transfer of the Acquired Parcel, the Township has paid a monetary sum of Three Hundred Fifteen Thousand and 00/100 Dollars (\$315,000.00) and has agreed to provide certain benefits to the Property that will remain in effect after the transfer of the Acquired Parcel, which remaining property will consist of approximately 14.5 acres (the "Remaining Parcel"), which Remaining Parcel is described in **Exhibit C**.

WHEREAS, in the event that the construction of the Interchange has not commenced within three (3) years of the date of the Warranty Deed, then the Acquired Parcel will revert to HPS pursuant to the terms and conditions set forth in below.

NOW, THEREFORE, in consideration of the mutual covenants and promises the Parties acknowledge and agree that a substantial portion of the consideration for the transfer of the Acquired Parcel are the following benefits to be provided by the Township to the Remaining Parcel and the Parties wish to memorialize the following benefits:

a. Traffic Light and Latson Road Intersection.

(1) Traffic Signal. The Township acknowledges that the Livingston County Road Commission ("LCRC") will provide, at its cost, a traffic signal which will permit the efficient flow of vehicular traffic to and from the Remaining Parcel and Latson Road. The traffic signal will be required only if the Interchange is constructed. The Township will cooperate with the LCRC and HPS for the installation of said traffic signal. In the event that the Interchange is constructed, LCRC shall install the traffic signal at such time as set forth in the Livingston County Road Commission - RGL Howell, LLC and GCG Howell, LLC Agreement to Transfer Property dated August 30, 2011 (the "Agreement to Transfer"), or at such time a site plan is approved for any portion of the Remaining Parcel provided that HPS, or its successors, reach an agreement with the LCRC.

(2) Improvement of Intersection. The Parties agree that the costs of the acceleration and deceleration lanes be the obligation of MDOT up to the "spring lines" on the North side of the Interchange. The costs of the "extension" of these lanes will be subject to further negotiation between MDOT and LCRC. The LCRC agrees to provide advance written notice to HPS, its successors and assigns, of any and all planned and preconstruction meetings and to invite HPS, its successors and assigns, to participate and influence decisions with regards to the Interchange. However, it is understood that although HPS and its successors and assigns will be permitted to have a voice at these meetings, they will not be empowered to vote on any final decisions. It is further understood by the Parties that HPS, its successors and assigns and/or other occupants of the Remaining Parcel will be required, at their expense, to perform a limited traffic study to determine the length of the acceleration/deceleration lanes.

(3) Entryway to Remaining Parcel. The Township represents and warrants that it will obtain LCRC's consent that the width of the entryway to the Remaining Parcel at the Latson Road intersection where the traffic signal is located not be less than the width of Grand Oaks Drive and the density of the Remaining Parcel will not be reduced by the width of the entryway drive.

b. Water and Sanitary Sewer for Remaining Parcel.

(1) Capacity. The Township represents and warrants that the capacity is available for water and sanitary sewer for any future development of the Remaining Parcel at no cost to HPS its successors and assigns.

(2) Residential Equivalent Units ("REUs") for Sanitary Sewer and Water. The Township acknowledges that the Remaining Parcel currently has 22 residential equivalent units (REUs) for sanitary sewer and 20 REUs for water and may be utilized by the District, its successors and assigns, for the future development of the Remaining Parcel. In addition, the Township agrees to provide an additional five (5) REUs for sanitary sewer and seven (7) REU's for water, at no cost, which additional REUs can be utilized by HPS, its successors and assigns, for the future development of the Property. The Township represents and warrants that any additional REUs needed by HPS, its successors and assigns, for the future development of the Property shall be priced at the current 2012 pricing of \$5,000 per REU for water and \$5,500 per REU for sanitary sewer. HPS agrees that all REUs described in this paragraph are only assignable to a successor in title or interest of the Remaining Parcel.

(3) No Other Fees. Other than the REU fees stated above, there are currently no additional connection or capital fees charged by the Township. Other than the fees set forth in subparagraph (2) above, no other connection fees shall be imposed upon HPS, its successor and assigns with regard to the Remaining Parcel. In addition, the Township represents and agrees that the existing 15" gravity sewer on Grand River is at capacity and the Township shall not impose any additional costs on HPS related to increasing the capacity of the Grand River sewer to serve the Remaining Parcel and that the Grand River sewer is the only present sewer capacity constraint for the Remaining Parcel. Notwithstanding the above and except as provided in subparagraph (1) above, the Remaining Parcel shall not be exempted from charges for any sewer system upgrades that benefit the system and are borne on a pro-rata basis by the users of the system. Notwithstanding the foregoing, HPS, its successors and assigns will be subject to fees required for engineering, inspection and fees imposed by other local units of government for the Remaining Parcel.

c. Zoning Concessions. The Township and HPS agree to the following land use concessions for the Remaining Parcel:

| | <u>Minimum Allowed Lot Dimensions for Remaining Parcel</u> |
|---------------------------|--|
| <u>Minimum Lot Area</u> | 1 acre |
| <u>Minimum Lot Width</u> | 120 feet |
| <u>Front Yard Setback</u> | 20 feet |
| <u>Side Yard Setback</u> | 10 feet |
| <u>Rear Yard Setback</u> | 20 feet |

| | | |
|---|--|--|
| | | 10 feet |
| | | 5 feet |
| | | 50% building / 85% impervious |
| | | 75 feet & 5 stories |
| | | 15% |
| | | Limited Traffic Study (see paragraph a(2) above) |
| | | 2 Highway Signs –200 sq. ft. & 30' tall |
| <i>("P" is permitted, "S" is Special Land Use. Unlisted uses are not permitted)</i> | | Howell Public Schools Remainder Parcel |
| Retail Uses | | |
| Retail establishments and shopping centers which provide goods such as bakery goods, including bakery items produced on the premises, groceries, produce, meats, provided no slaughtering shall take place on the premises, seafood; dairy products, beverages appliances, electronics, furniture, and home furnishings, apparel, jewelry, art, pharmaceuticals, home improvement supplies, hardware, and garden supplies, sporting goods, bicycles, toys, hobby crafts, videos (rental, and sales), music, musical instruments, books, computer hardware and software, antiques, flower shops, greeting card shops, auto parts and similar establishments not specifically addressed elsewhere | Uses up to 20,000 square feet gross floor area | P |
| | Uses 15,001 - 30,000 square feet of gross floor area | P 2 uses up to 40,000 sq. ft. |
| | Uses 30,000 - 60,000 square feet of gross floor area | P 2 uses up to 40,000 sq. ft. |
| | Uses over 60,000 square feet of gross floor area | S* *Except 1 retail use up to 300,000 sq. ft.. shall be permitted by right. |
| | Pharmacies with drive-up window | P, one only. Additional if Special Use Conditions are met. |
| Automobile, motorcycle, boat and recreational vehicle sales, new and used | | S |
| Outdoor commercial display, sales or storage | | S |
| Service Uses | | |
| Banquet halls, assembly halls, dance halls, private clubs, fraternal order halls, lodge halls or other similar places of assembly | | P |
| Business services such as mailing, copying, data processing and retail office supplies | | P |
| Child care centers, preschool and commercial day care | | P |
| Conference Centers | | P |
| Bed and breakfast inns, hotels and motels with no more than 25 rooms not including accessory convention/meeting facilities or restaurants These uses may include the residence for the owner/manger's family | | P |
| Hotels and motels with more than 25 rooms including accessory convention/meeting facilities and restaurants | | P |
| Personal and business service establishments, performing services on the premises, including: dry cleaning drop-off stations (without on site processing), photographic studios, copy centers, mailing centers, data processing centers, dressmakers and tailors, shoe repair shops, tanning salons, beauty parlors, barber shops, and similar establishments | | P |
| Dry cleaning drop-off stations with drive-through service | | P, one only. Additional if Special Use Conditions are met. |
| Restaurants, taverns, bars, delicatessen, food | Standard restaurants, except as provided below | P |

| | | |
|--|---|---|
| carryout, and similar establishments serving food or beverages | Restaurants and bars serving alcoholic beverages | P |
| | Bars providing dancing and live music | P |
| | Restaurants with open front windows | P, one only. Additional if Special Use Conditions are met. |
| | Restaurants with outdoor seating | P |
| | Drive-through restaurants | P, up to two. Additional if Special Use Conditions are met. 500' separation not required. |
| | Drive- in restaurants | S |
| | Carry-out restaurants | P |
| Studios of photographers and artists | | P |
| Tattoo parlors | | P |
| Tool and equipment rental, excluding vehicles | | S |
| Auto Service Uses | | |
| Minor auto repair establishment | | P |
| Auto/gasoline service station | | P, up to two. Additional if Special Use Conditions are met. 500' separation not required. |
| Automobile wash, automatic or self serve | | P – w/conditions in PUD |
| Office Service and Medical Uses | | |
| Banks, credit unions, savings and loan establishments and similar financial institutions | With up to 3 drive-through teller windows | P |
| | With more than 3 drive-through teller windows | P, one only with up to 5 drive-through. Additional if Special Use Conditions are met. |
| | Stand alone automatic drive-up teller machines | P, one only if a principle use. Additional if Special Use Conditions are met. |
| Hospitals | | P |
| Offices of non-profit professional, civic, social, political and religious organizations | | P |
| Medical urgent care facilities, medical centers and clinics | | P |
| Medical offices of doctors, dentists, optometrists, chiropractors, psychiatrists, psychologists and similar or allied professions, excluding clinics, and urgent care centers | Buildings up to 15,000 square feet of gross floor area | P |
| | Buildings over 15,000 square feet of gross floor area | P |
| Offices of lawyers, engineers, architects, insurance, and real estate agents, financial consultants, and brokers, advertising offices, accounting, and bookkeeping services, clerical, and stenographic services, sales offices, other types of executive, or administrative offices and similar or allied professions | Buildings up to 15,000 square feet of gross floor area | P |
| | Buildings between 15,000 and 55,000 square feet of gross floor area | P |
| | Buildings over 55,000 square feet of gross floor area | P |
| Recreation | | |
| Motion picture theaters | | P |

| | |
|---|--|
| Public parks and open space | P |
| Miniature golf courses and driving ranges | S |
| Recreation (indoor) such as bowling alleys, skating rinks, arcades, archery indoor golf or softball | S |
| Health clubs, fitness centers, gyms and aerobic clubs | P |
| Education | |
| Commercial schools and studios for teaching photography, art, music, theater, dance, martial arts, ballet, etc | P |
| Vocational and technical training facilities | P |
| Public/Institutional | |
| Bus passenger stations | S |
| Churches, temples and similar places of worship and related facilities | S, no facility shall occupy more than 4 acres of land. |
| Essential public services and structures, not including buildings and storage yards | S |
| Public/government buildings such as; township/state/county offices, public museums, libraries and community centers | S |
| Accessory Uses | |
| Accessory temporary outdoor sales and events | P |
| Accessory drive-through service not listed above | P, one only. Additional if Special Use Conditions are met. |
| Accessory uses, buildings and structures customarily incidental to any of the above | P |
| Accessory fuel storage and use or storage of hazardous materials | S |

The Township shall amend its Master Plan and to take any other action necessary to comply with the land use concession described in this Paragraph 8.

d. Conceptual Planned Unit Development Plan.

(1) Preparation of Conceptual Planned Unit Development Plan. The Parties agree to work cooperatively to prepare a Conceptual Planned Unit Development Plan (the "Conceptual PUD Plan") for the Remaining Parcel. The Township agrees to waive its administration fees, including without limitation any planning commission fees. However, the Parties acknowledge any third party engineering and planning and consulting fees will be charged for the development and preparation of the Conceptual PUD Plan, which amounts will be shared equally by the Parties.

(2) Submission of Conceptual PUD Plan. The Parties agree to work cooperatively to submit a joint petition for the Conceptual PUD Plan. The Parties shall equally share the costs of any third party consulting fees. The Township will amend its Master Plan to accommodate the expected future use of the Remaining Parcel with a designation for the Remaining Parcel of NR/PUD. Any requested "adjustment(s)" for the Remaining Parcel must be reviewed and approved by the Township prior to any such adjustment(s) being made. All such adjustment(s) shall be approved provided that the adjustment(s) will not alter the land use designation or increase the intensity and/or

density of use. All development of the Remaining Parcel shall be subject to final PUD site plan and land division approval. After the Conceptual PUD Plan is developed, no modifications of the Conceptual PUD Plan will be permitted which will substantially increase the impact upon adjoining properties or facilities without Township approval, which approval shall not be unreasonably withheld.

(3) Livingston County Planning Commission Approval. The Parties agree to work cooperatively to jointly submit and obtain a recommendation for the Conceptual PUD Plan for the Remaining Parcel from the Livingston County Planning Commission.

e. Communications Tower.

The Township acknowledges that there is a communications tower currently located on the Remaining Parcel. The Township agrees that the use of the communications tower can continue and the District, its successors and assigns may locate the communications tower with the Remaining Parcel. However, in no event shall the height of the communications tower be increased above its current height of one hundred (100) feet.

f. Demolition of School Building and Related Structures.

The Township acknowledges that there is a school building and related structures currently located on the Remaining Parcel. The Township agrees that the demolition of the school building, in whole or in part, and the demolition of related structures on the Remaining Parcel may proceed by HPS, its successors and assigns without the consent or approval of the Township.

g. Termination. in the event that the construction of the Interchange has not commenced within three (3) years of the date of the Warranty Deed, then the Acquired Parcel will revert to HPS pursuant to the terms and conditions set forth in the Warranty Deed and this Agreement shall terminate.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

**HOWELL PUBLIC SCHOOLS,
a Michigan general powers school district**

Dated: 5/10/12

By: Ronald C. Wilson
Ronald Wilson

Its: Superintendent of Schools

Acknowledged before me in LIVINGSTON County, Michigan, this 10th day of May, 2012, by Ronald Wilson, Superintendent of Schools, Howell Public Schools, a Michigan general powers school district.

Carole Bullion (signature)

(printed)

**CAROLE A. BULLION
NOTARY PUBLIC, LIVINGSTON CO.
My commission expires 03-08-2013
Acting in LIVINGSTON**

Notary Public, _____ County, Michigan
My Commission Expires: _____
Acting in the County of _____

**GENOA CHARTER TOWNSHIP,
a Michigan municipal corporation**

Dated: 5/10/12

By: Gary McCrie
Gary McCrie

Its: Supervisor

Acknowledged before me in LIVINGSTON County, Michigan, this 10th day of May, 2012, by Gary McCrie, Supervisor, Genoa Charter Township, a Michigan municipal corporation.

Carole Bullion (signature)

(printed)

**CAROLE A. BULLION
NOTARY PUBLIC, LIVINGSTON CO.
My commission expires 03-08-2013
Acting in LIVINGSTON**

Notary Public, _____ County, Michigan
My Commission Expires: _____
Acting in the County of _____

***Prepared By and After
Recording Return To:***
Gordon W. VanWieren, Jr., Esq.
Thrun Law Firm, P.C.
P.O. Box 2575
East Lansing, Michigan 48826-2575

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Exhibit A

Legal Description for Entire Parcel of Property

Part of the Northwest 1/4 of Section 9, Town 2 North, Range 5 East, Genoa Township, Livingston County, Michigan, described as follows: Commencing at the Northwest corner of Section 9; thence South 02 degrees 33'37" East, along the West line of said Section and the centerline of Latson Road, 718.36 feet; to the point of beginning of the parcel to be described; thence North 87 degrees 20'53" East, 700.00 feet; thence South 02 degrees 33'37" East, 1260.92 feet; thence South 84 degrees 45'08" West, along the Northerly line of Detroit Edison Right of Way, 700.77 feet, to the West line of said Section and the centerline of Latson Road; thence North 02 degrees 33'37" West, along said line 1292.66 feet, to the point of beginning.

Exhibit B

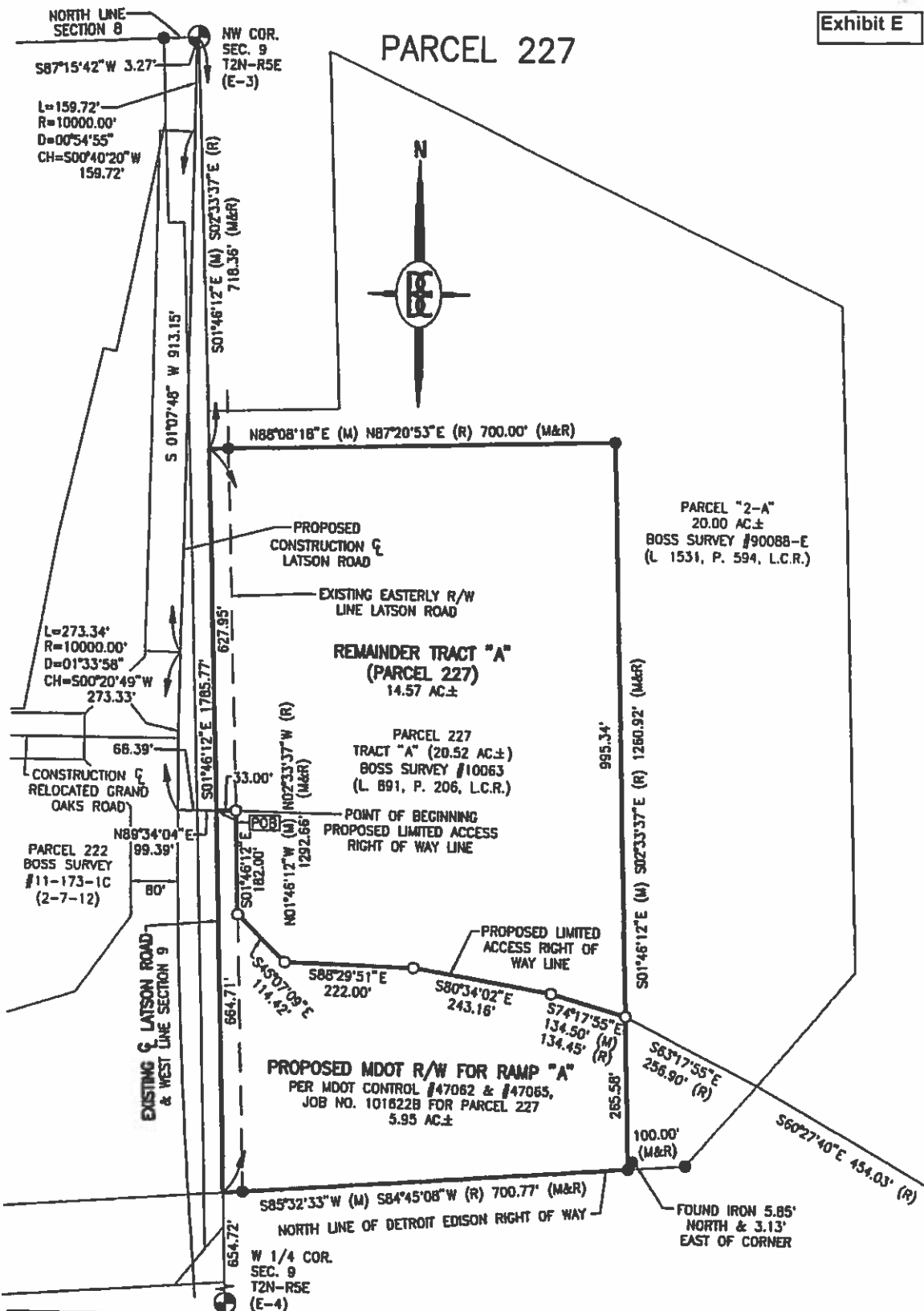
Legal Description for the Acquired Parcel

Part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Latson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence continuing N 89°34'04" E, 33.00 feet, to the existing Easterly Right of Way line of Latson Road; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) S 01°46'12" E, 182.00 feet; 2) S 45°07'09" E, 114.42 feet; 3) S 88°29'51" E, 222.00 feet; 4) S 80°34'02" E, 243.16 feet; 5) S 74°17'55" E, 134.50 feet (recorded as 134.45 feet); thence S 01°46'12" E (recorded as S 02°33'37" E), 265.58 feet; thence along the North line of Detroit Edison Right of Way, S 85°32'33" W (recorded as S 84°45'08" W), 700.77 feet; thence along the existing centerline of Latson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 664.71 feet, to the POINT OF BEGINNING, containing 5.95 acres, more or less, and including the use of Latson Road. Also subject to any other easements or restrictions of record.

Exhibit C

Legal Description of Remaining Parcel

Part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Latson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence along the existing centerline of Latson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 627.95 feet, said point being the following course from the Northwest Corner of Section 9; along the existing centerline of Latson Road and West line of Section 9, S 01°46'12" E (recorded as S 02°33'37" E), 718.36 feet; thence N 88°08'18" E (recorded as N 87°20'53" E), 700.00 feet; thence S 01°46'12" E (recorded as S 02°33'37" E), 995.34 feet; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) N 74°17'55" W, 134.50 feet (recorded as 134.45 feet); 2) N 80°34'02" W, 243.16 feet; 3) N 88°29'51" W, 222.00 feet; 4) N 45°07'09" W, 114.42 feet; 5) N 01°46'12" W, 182.00 feet; thence S 89°34'04" W, 33.00 feet, to the POINT OF BEGINNING, containing 14.57 acres, more or less, and including the use of Latson Road. Also subject to any other easements or restrictions of record.



I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS 1/10,000 AND THAT SAID SURVEY FULLY COMPLIES WITH THE REQUIREMENTS OF PUBLIC ACT NUMBER 132 OF 1970, AS AMENDED.

DESCRIPTION:
PART OF THE NORTHWEST
1/4, SEC. 9, T2N-R5E,
GENOA TOWNSHIP,
LIVINGSTON COUNTY,
MICHIGAN

CLIENT:
GENOA CHARTER
TOWNSHIP

JOB NO. 11-173-2
DATE 4-25-12
SHEET 1 OF 3



DATE 4-25-12
BY SCS/CREW BP/EB DR. AEB CK. C.J.F.

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TRACT "A" (PARCEL 227), AS PROVIDED, PER MDOT TECHNICIAN'S WORK SHEET, CONTROL NO. 47065, JOB NO. 101622B, DATED MAY 14, 2009 AND ALSO DESCRIBED IN SURVEY BY BOSS ENGINEERING, JOB NO. 10063, DATED 7-19-78, AS RECORDED IN LIBER 891, PAGE 206, LIVINGSTON COUNTY RECORDS:

Part of the Northwest 1/4 of Section 9, Town 2 North, Range 5 East, Genoa Township, Livingston County, Michigan, described as follows: Commencing at the Northwest corner of Section 9; thence South 02 degrees 33'37" East, along the West line of said Section and the centerline of Lalson Road, 718.36 feet; to the point of beginning of the parcel to be described; thence North 87 degrees 20'53" East, 700.00 feet; thence South 02 degrees 33'37" East, 1260.92 feet; thence South 84 degrees 45'08" West, along the Northerly line of Detroit Edison Right of Way, 700.77 feet, to the West line of said Section and the centerline of Lalson Road; thence North 02 degrees 33'37" West, along said line 1292.66 feet, to the point of beginning.

PROPOSED MDOT RIGHT OF WAY FOR RAMP "A":

Part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Lalson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence continuing N 89°34'04" E, 33.00 feet, to the existing Easterly Right of Way line of Lalson Road; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) S 01°46'12" E, 182.00 feet; 2) S 45°07'09" E, 114.42 feet; 3) S 88°29'51" E, 222.00 feet; 4) S 80°34'02" E, 243.16 feet; 5) S 74°17'55" E, 134.50 feet (recorded as 134.45 feet); thence S 01°46'12" E (recorded as S 02°33'37" E), 265.58 feet; thence along the North line of Detroit Edison Right of Way, S 85°32'33" W (recorded as S 84°45'08" W), 700.77 feet; thence along the existing centerline of Lalson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 664.71 feet, to the POINT OF BEGINNING, containing 5.95 acres, more or less, and including the use of Lalson Road. Also subject to any other easements or restrictions of record.

REMAINDER TRACT "A" (PARCEL 227):

Part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Lalson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence along the existing centerline of Lalson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 627.95 feet, said point being the following course from the Northwest Corner of Section 9; along the existing centerline of Lalson Road and West line of Section 9, S 01°46'12" E (recorded as S 02°33'37" E), 718.36 feet; thence N 88°08'18" E (recorded as N 87°20'53" E), 700.00 feet; thence S 01°46'12" E (recorded as S 02°33'37" E), 995.34 feet; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) N 74°17'55" W, 134.50 feet (recorded as 134.45 feet); 2) N 80°34'02" W, 243.16 feet; 3) N 88°29'51" W, 222.00 feet; 4) N 45°07'09" W, 114.42 feet; 5) N 01°46'12" W, 182.00 feet; thence S 89°34'04" W, 33.00 feet, to the POINT OF BEGINNING, containing 14.57 acres, more or less, and including the use of Lalson Road. Also subject to any other easements or restrictions of record.

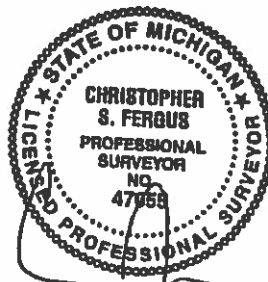
Bearings were established from descriptions provided by MDOT, Control No. 47062 & Control No. 47065, Job No. 101622B, for Parcel 227 & Survey by Boss Engineering, Job No. 10063, dated 7-19-78, as recorded in Liber 891, Page 206, Livingston County Records.

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April 25, 2012

Job Number: 11-173-2
Sheet: 2 of 3

BOSS ENGINEERING
ENGINEERS & SURVEYORS

3121 E. Grand River Ave. Howell, MI 48843
Phone (517)546-4836 • Fax (517)546-1670



CHRISTOPHER S. FERGUS, P.S.

REFERENCES:

1. Warranty Deed as recorded in Liber 890, Page 548, Livingston County Records.
2. Survey by Boss Engineering, Job No. 10083, dated 7-19-78, as recorded in Liber 891, Page 206, Livingston County Records.
3. Survey by Boss Engineering, Job No. 90088-E, dated 12-24-91, as recorded in Liber 1531, Page 594, Livingston County Records.
4. MDOT Right of Way Maps for proposed I-96 at Latson Road interchange, Sheets 173-178, dated 05/19/11.

WITNESSES:

Northwest Corner, Section 9, T2N-R5E (E-03) LSC#1718m
Livingston County Remon Brass Cap
N 65° 02.21' Remon N/T NW/S Utility Pole
S 50° E 33.38' Remon N/T N/S 24" Oak
S 30° E 93.80' Remon N/T W/S Utility Pole
S 10° E 113.34' Remon N/T W/S 24" Oak

West 1/4 Corner, Section 9, T2N-R5E (E-04) LSC#1719m
Livingston County Remon Brass Cap
N 75° E 86.53' Remon N/T S/S 18" Oak
S 75° E 69.75' Remon N/T S/S 18" Oak
N 75° W 159.30' Remon N/T S/S 15" Oak
S 40° W 72.13' Remon N/T NW/S 30" Hickory

G:\11-173\docs\11-173-2_PARCEL-227.doc
April 25, 2012

Job Number: 11-173-2
Sheet: 3 of 3

CJF

BOSS ENGINEERING
ENGINEERS & SURVEYORS

3121 E. Grand River Ave. Howell, MI 48843
Phone (517)546-4838 • Fax (517)546-1670



[Signature]
CHRISTOPHER S. FERGUS, P.S.

- Access management that will minimize the number of driveways and protect the efficiency of traffic flow along Latson Road between the interchange and Grand River Avenue.
 - Distinct and prominent architectural features of enhanced character, which reflect the importance of the site's location and create a positive visual landmark for this gateway to the community.
 - Extensive landscaping along Latson Road and Grand River Avenue to enhance the appearance of these corridors and the gateway to the community.
 - Uniformity in design through coordination of architectural styles, landscaping, ornamental lighting, pedestrian circulation and vehicular access.
- The areas immediately south of the interchange along S. Latson Road are planned for Interchange Commercial, as described in Section B above. This area is intended to accommodate the needs of interstate traffic and should complement, not duplicate the commercial areas north a long Latson and Grand River.
 - The areas adjacent to the Interchange Commercial area as depicted on the map are planned for Interchange Campus uses. This area can be served by utility extensions and is intended to be a well-planned, campus setting.
 - Residential development along S. Latson Road south of the Interchange Campus area will remain at large lot residential densities. The intent is to protect the residential character and natural features through lower density development (Future Transition Area on Map X).
 - As the areas designated for Interchange Commercial and Campus are approved for significant development, areas south currently planned residential should be reevaluated for potential supporting uses, conditional upon the utility and roadway capacities, as shown as Future Transition Area on Map 10. This plan is intended to be flexible, balancing the impacts of new development on the infrastructure system, accommodating new uses dependent on surrounding uses, and limiting the negative impacts on existing nearby uses.

Interchange Commercial Examples



South Latson Interchange Design Guidelines
Streetscape

Streetscape improvements, such as street lights, landscaping, wayfinding signage, and pathways, should be integrated into the interchange commercial and campus developments. This will contribute to the unified, high-quality development the Township would like to project at the new interchange.

- As part of the development of the South Latson campus, a landscaped median should be installed south of the railroad. This will not only help beautify the corridor but improve safety by restricting left-turns.

- Ornamental street lighting should be included along South Latson and within the new development itself to contribute toward the site's unified design.
- South Latson should be well landscaped, not only in the median, but along the frontage, with street trees and knee walls or hedgerows screening parking.
- Gateway and wayfinding signs should be installed at the interchange welcoming visitors to the Township and directing them to major landmarks. This signage should be consistent with that proposed along Grand River and for the Town Center. Elements of a gateway entrance sign should include lighting, landscaping, and masonry material.
- Pathways should be installed on both sides of South Latson and connect to the interior of the site. Buildings and parking should all have pedestrian connections to the pathway network.



Access and Circulation

In order to efficiently accommodate new traffic that is likely to result from new development, having a coordinated circulation and access plan is essential.

- A signalized intersection should be located approximately ¼ mile south of the railroad at Sweet Road. This should be the primary entrance to campus Area A as identified on the Subarea Map.
- An additional entrance to Area A should be located halfway between the signalized intersection and the railroad tracks and be right-in/right-out.
- Area A's ring road should be sensitive of the wetland/wooded area in its southeast corner and provide stub roads for future connections to the south.
- Area B should be accessed via the newly realigned Beck Road which can be extended and configured into a loop road.
- Area B's loop road should be sensitive to the wetland/natural areas at the south of the site.
- Auxiliary campus uses on the east side of South Latson across from Area A should be primarily accessed via the signalized intersection. Additional access points north and south of the signalized intersection should be right-in/right-out. A frontage road will help provide convenient access for these businesses and should continue south for future connections.
- No access points other than Beck Road should be allowed on South Latson at the interchange north of the railroad tracks. Businesses fronting South Latson at this location should share access off Beck Road.

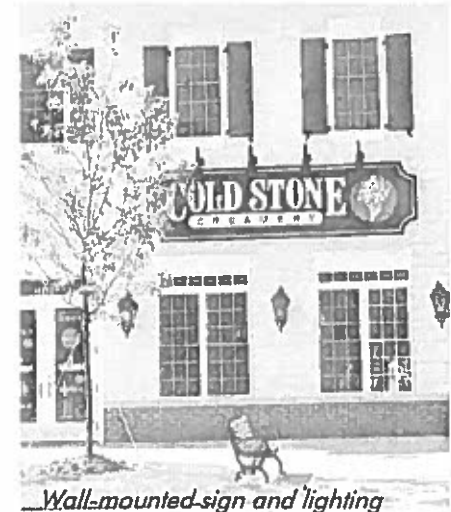


- Access to the Future Transition Area should be integrated into the overall circulation plan for Areas A and B.
- Further access management standards are included in the Township's zoning ordinance and MDOT's Access Management Manual

Building and Site Design

In order to establish a cohesive, high-quality campus at the South Latson interchange, it will be important to have consistent building and site design features.

- Entrances should be well defined and easily accessible by pedestrians.
- Buildings should orient toward South Latson where possible with parking given a less dominant presence along the corridor.
- Parking should be buffered with landscaping or decorative fencing.
- Understanding that a user like a hospital may need several stories for its patient wings, this plan seeks not to require a maximum building height. More importantly, any new building built along South Latson fronting the corridor should be built at a pedestrian scale at its Latson frontage.
- Stormwater should be consolidated and treated through low-impact design and retention ponds that contribute to the existing natural character of the site.
- Building orientation should be sensitive to wetlands and existing natural features and be situated to maximize the sight lines and pedestrian access to enjoy them.
- Materials should be of high quality brick, stone, glass, or similar, reflective of a well-designed modern research park or medical campus.
- Loading zones and waste receptacles should be well delineated and appropriately screened (see zoning ordinance).
- Lighting should be directed downward and fully shielded to eliminate an outward or upward glare, providing for adequate public safety without overly illuminating a site or building.
- Site lighting should consist of decorative fixtures, such as goose neck fixtures, and be architecturally integrated with the building style, materials and color. Pole fixtures should be located within landscaped islands or behind the curb or sidewalk.
- Monument signs should be well landscaped and have masonry bases.



Wall-mounted sign and lighting

- Signs should be comprised of an interesting design that adds interest to the business and the streetscape. Signs that have the appearance of a box sign are discouraged.
- Signs should be architecturally integrated with their surroundings in terms of size, shape, color, texture and lighting and not promote visual competition with other signs in the area.



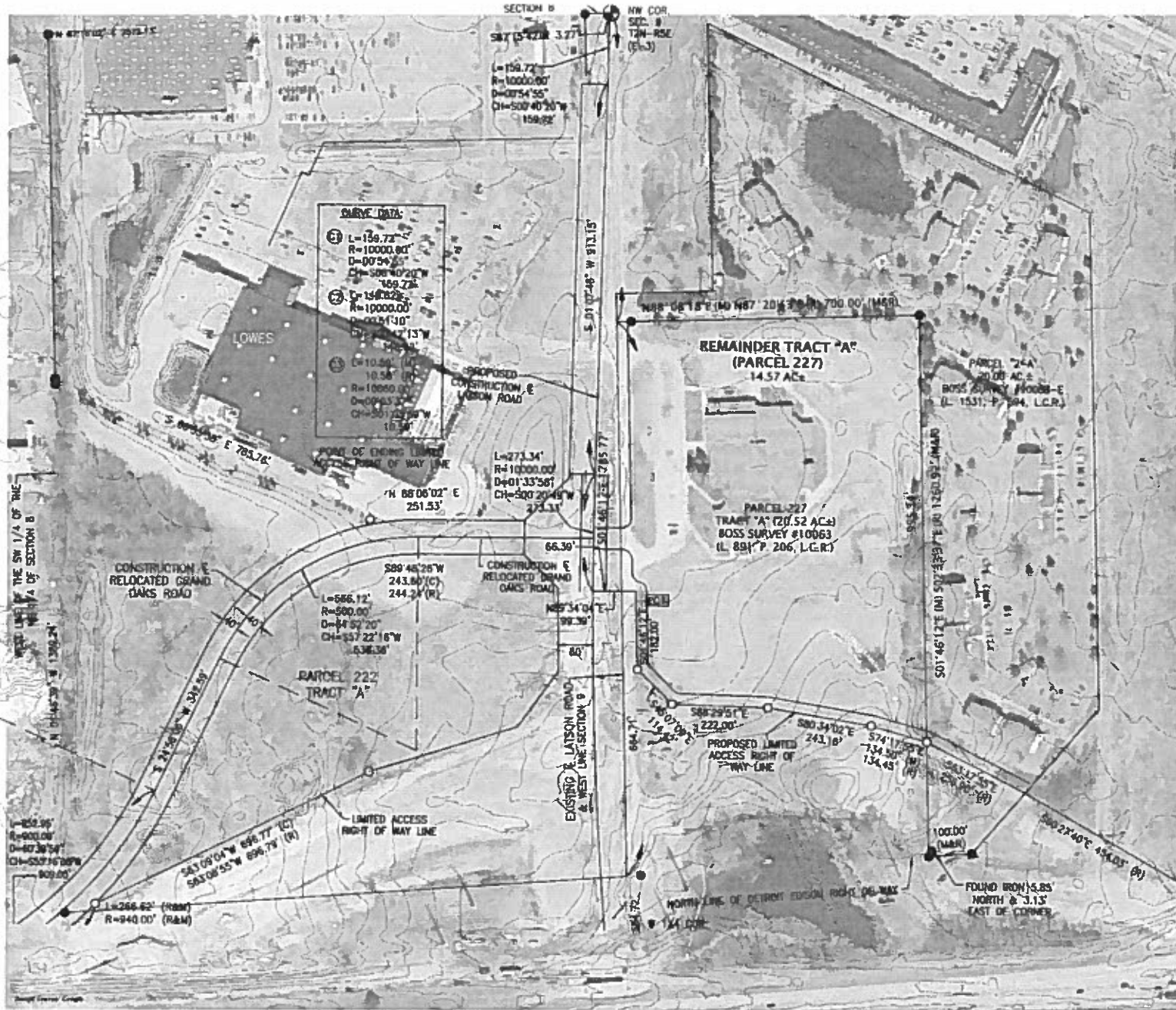


Exhibit A: Existing Site Conditions

Development:
Former Latson Elementary School Site

Applicant:
Howell School District and Charter Township of Genoa

Preparer:
ISA Planning, a SAJ Ebuild Company
Rebekah Kil, BS Arch, M. Arch, M. Arch, Design & Urbanism
Kathleen Duffy, AICP, BS Arch, M. Urban Planning
Survey prepared by Boss Engineering

Legal Description
Part of the Northwest 1/4 of Section 9, T29N-R1E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9 where the North line of Section 8, T29N-R1E, Genoa Township, Livingston County, Michigan, S 87°12'17" W, 3.27 feet, thence along the Proposed Latson Road centerline to corner, the following three (3) courses: 1) southerly along an arc right having a length of 159.72 feet, a radius of 10000.00 feet, to a central angle of 0°54'55"; and a long chord which bears S 00°42'37" W, 159.72 feet; 2) S 81°01'47" W 511.11 feet, to a central angle of 81°33'28", and a long chord which bears S 00°20'47" W 511.11 feet; 3) S 89°34'04" E, 66.19 feet, to the POINT OF BEGINNING of the Part to be described, thence along the existing centerline of Latson Road to the West line of Section 9, S 81°42'17" W, 221.37 feet, 62.15 feet, and thence along the following course from the Northwest Corner of Section 9 along the existing centerline of Latson Road and West line of Section 9, S 81°42'17" W, 221.37 feet, 62.15 feet, 66.19 feet, thence S 89°34'04" E, 66.19 feet, thence S 81°42'17" E, 221.37 feet, 62.15 feet, 66.19 feet, S 87°33'37" E, 200.00 feet, thence S 91°46'12" E, 100.00 feet, the following five (5) courses: 1) S 87°12'17" W, 3.27 feet, 2) S 81°42'17" W, 221.37 feet, 62.15 feet, 66.19 feet, S 89°34'04" E, 66.19 feet, 3) S 81°42'17" W, 221.37 feet, 62.15 feet, 66.19 feet, S 89°34'04" E, 66.19 feet, 4) S 81°42'17" W, 221.37 feet, 62.15 feet, 66.19 feet, S 89°34'04" E, 66.19 feet, 5) S 81°42'17" W, 221.37 feet, 62.15 feet, 66.19 feet, S 89°34'04" E, 66.19 feet, to the POINT OF BEGINNING, containing 14.57 acres, more or less, and including the use of Latson Road, also subject to any other easements or restrictions of record.



Current Land Use
The property is currently a vacant school site, existing schoolhouse. It is currently zoned as Unincorporated Residential in the north and east, vacant property zoned for commercial planned unit development to the west. The site is currently vacant. The Latson Road interest belongs to the north.

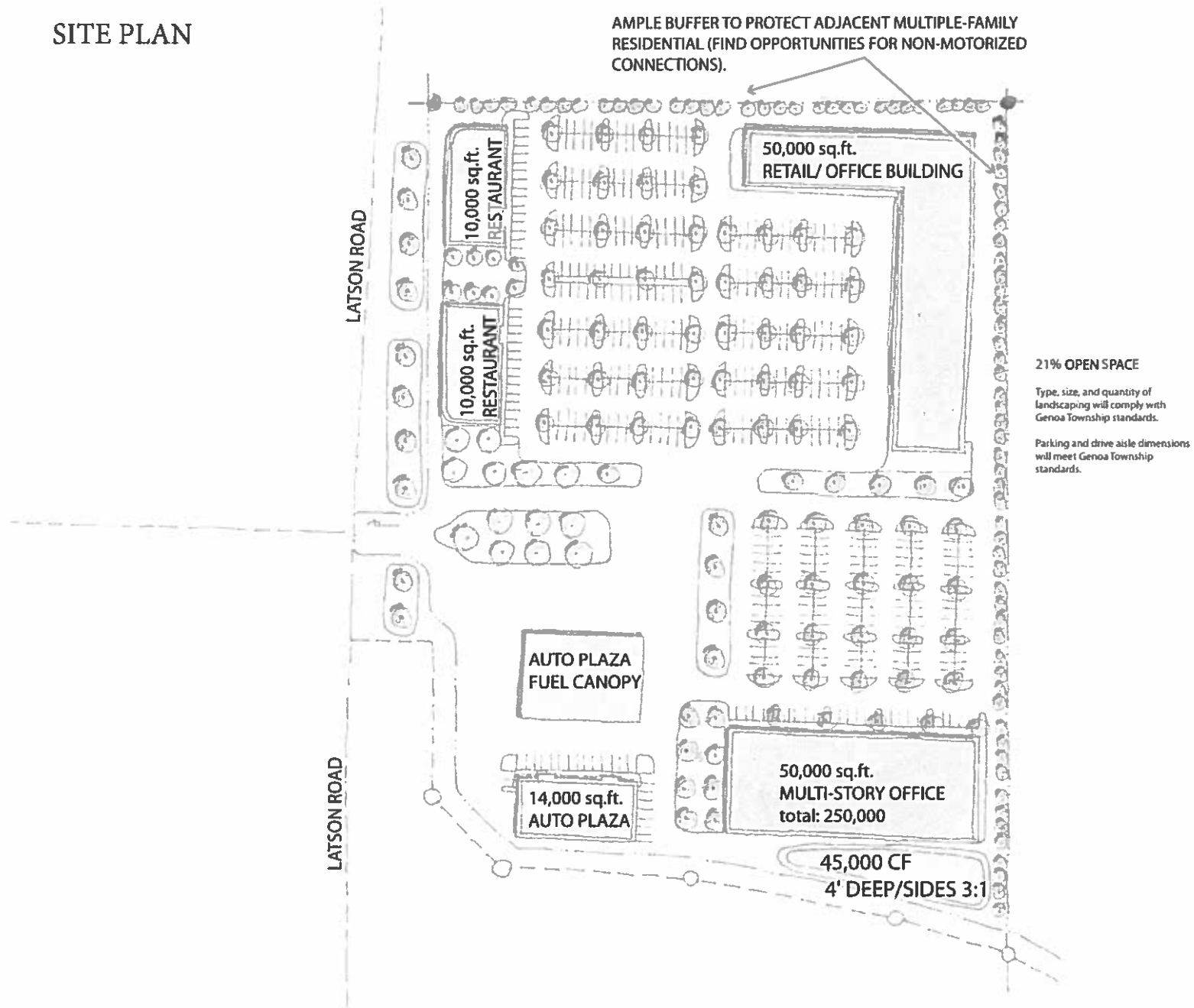
| | |
|----------------------------|------------------------|
| Unincorporated Residential | Water |
| Commercial | Public |
| Public | Transportation/Utility |
| Transportation/Utility | Vacant |

Zoning
The property is currently zoned Unincorporated Residential. The parcels to the north and east are zoned Unincorporated Residential. The parcels to the west are zoned Unincorporated PUD. The RCN to the south is zoned Public and Unincorporated PUD.

| | |
|----------------------------|------------------------|
| Unincorporated Residential | Water |
| Commercial | Public |
| Public | Transportation/Utility |
| Transportation/Utility | Vacant |



SITE PLAN



AMPLE BUFFER TO PROTECT ADJACENT MULTIPLE-FAMILY RESIDENTIAL (FIND OPPORTUNITIES FOR NON-MOTORIZED CONNECTIONS).

21% OPEN SPACE

Type, size, and quantity of landscaping will comply with Genoa Township standards.

Parking and drive aisle dimensions will meet Genoa Township standards.

Exhibit B: Concept Plan

Development:
Former Latson Elementary School Site

Applicant:
Howell School District and Charter Township of Genoa

Preparer:
LSI Planning, a SAFFbuilt Company
Rebekah Kri, BS Arch., M. Arch., M. Arch. Design & Urbanism
Kathleen Duffy, AICP, BS Arch., M. Urban Planning
Survey prepared by Boss Engineering

2-13-14



Exhibit B-1: Concept Plan Option B

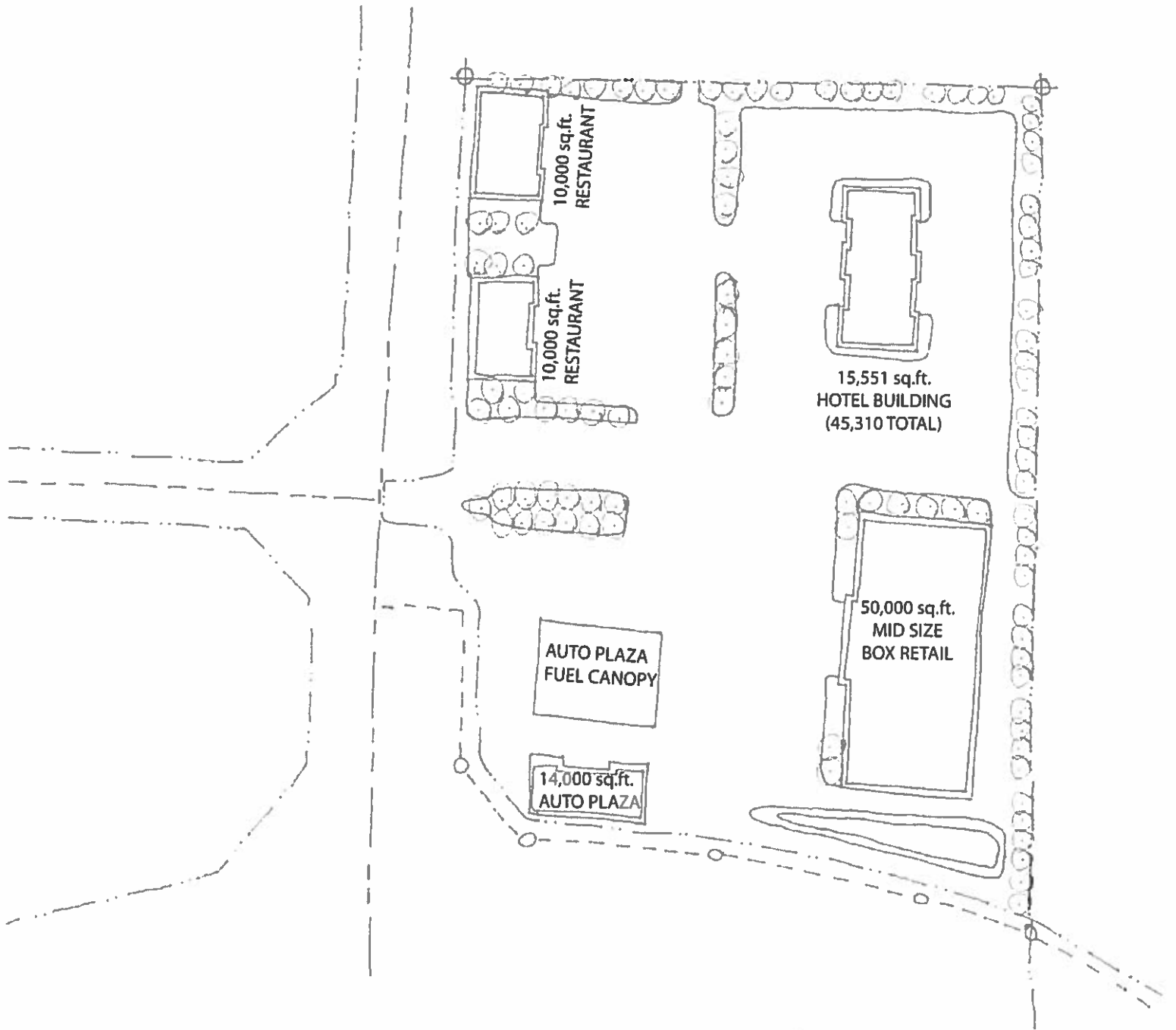


Exhibit B-2: Concept Plan Option C

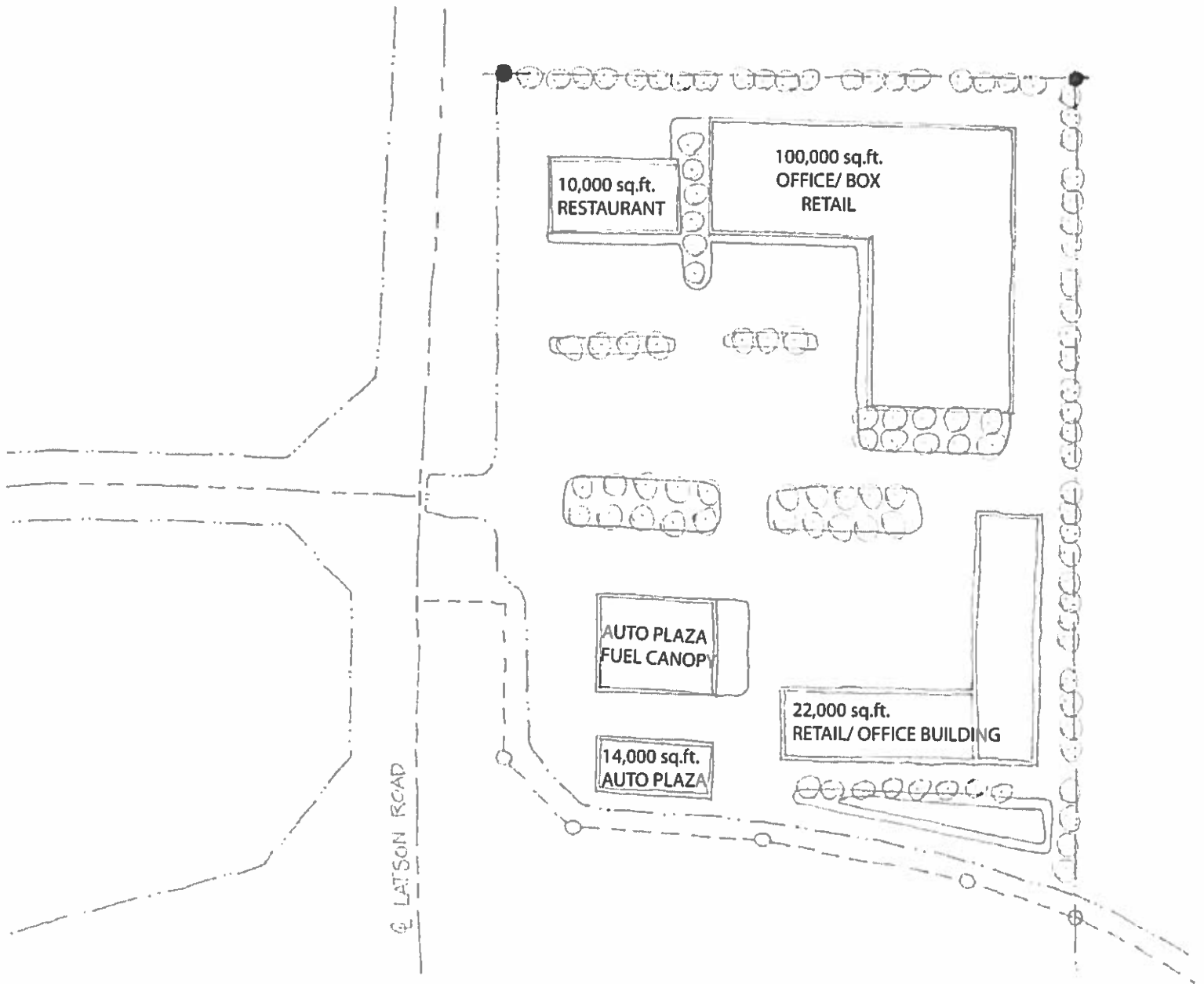


Exhibit B-3: Concept Plan Programming Detail

Option A

4 Parcel Divisions

Total Buildout - 330,000 square feet

Parking Required - 1,126 spaces

Water - 164.5

Office Complex 50,000 sqft building footprint

250,000 total with 5 floors

600 Max Parking* (this is a low estimated figure. Developer will probably need to incorporate a parking deck to meet 300 foot rule as well)

Water – 100

Retail/ Office Building

50,000 sqft

200 Max Parking

Water - 7.5

Sit Down Restaurant Model (i.e. Olive Garden)

(2)10,000 sqft

142 Max Parking Each

284 Total Parking

Water – 50

Fuel Plaza* (includes some kind of fast food service)

10,000 sqft

42 Max Parking

14,000 sqft estimated canopy for fuel pumps

* automobile oriented - not semi-truck

Water - 7 (high estimate)

Option B

4 Parcel Divisions at approx. 3.625 acres each

Total Buildout - 125,310 square feet

Parking Required - 617 spaces

Water - 89.5

Typical Hotel Model (found on Best Western website)

Parking Req'd - 91 (80 ROOMS/ 5 EMPLOYEES/ 6 MEETING SPACE)

Building Footprint- 16,861 (TOTAL 45,310) - 80 ROOMS

Hardscape - 49,262

Softscape - 18,093

TOTAL 84,216

Water - 25 (high estimate - 80 Rooms+)

Mid Size Box Retail (i.e. Bed Bath & Beyond)

50,000 sqft

200 Max Parking

Water - 7.5

Sit Down Restaurant Models (i.e. Olive Garden)

10,000 sqft

142 Max Parking Each

284 Max Parking

Water - 50 Total

Fuel Plaza* (includes some kind of fast food service)

10,000 sqft

42 Max Parking

14,000 sqft estimated canopy for fuel pumps

* automobile oriented - not semi-truck

Water - 7 (high estimate)

Option C

3 Parcel Divisions (1 at 7.25 acres; 2 at 3.625 acres)

Total Buildout - 141,600 square feet

Parking Required - 692 spaces

Water - 55.64

Large Box Retail (i.e. Target)

100,000 sqft

400 Max Parking

Water - 15

Sit Down Restaurant Model (i.e. Olive Garden)

10,000 sqft

142 Max Parking

Water - 25

Fuel Plaza* (includes some kind of fast food service)

10,000 sqft

42 Max Parking

14,000 sqft estimated canopy for fuel pumps

* automobile oriented - not semi-truck

Water - 7 (high estimate)

Office/ Retail Strips (i.e. salons, insurance agency, sm. food establishment)

(2) 10,800 sqft. (Each division 30 feet wide x 60 feet deep - 1,800 sqft each space)

Total 108 Max Parking

Water - 8.64 (Total for both - estimated for the higher .40 water in Office use)

Exhibit C: Zoning Concessions
(from Real Property Agreement dated 4-10-12)

| | | Howell Schools Latson Elementary Property Remainder |
|---|--|---|
| Minimum Lot Area | | 1 acre |
| Minimum Lot Width | | 120 feet |
| Front Yard Setback | | 20 feet |
| Side Yard Setback | | 10 feet |
| Rear Yard Setback | | 20 feet |
| Parking Lot Setback - front | | 10 feet |
| Parking Lot Setback - side/rear | | 5 feet |
| Maximum Lot Coverage | | 50% building / 85% impervious |
| Maximum Building Height | | 75 feet & 5 stories |
| Open Space | | 15% |
| Traffic Study | | Limited Traffic Study |
| Signage | | 2 Highway Signs –200 sq. ft. & 30' tall |
| Land Uses: | | |
| <i>("P" is permitted. "S" is Special Land Use. Unlisted uses are not permitted)</i> | | Howell Public Schools Remainder Parcel |
| Retail Uses | | |
| Retail establishments and shopping centers which provide goods such as bakery goods, including bakery items produced on the premises, groceries, produce, meats, provided no slaughtering shall take place on the premises, seafood; dairy products, beverages appliances, electronics, furniture, and home furnishings, apparel, jewelry, art, pharmaceuticals, home improvement supplies, hardware, and garden supplies, sporting goods, bicycles, toys, hobby crafts, videos (rental, and sales), music, musical instruments, books, computer hardware and software, antiques, flower shops, greeting card shops, auto parts and similar establishments not specifically addressed elsewhere | Uses up to 20,000 square feet gross floor area | P |
| | Uses 15,001 - 30,000 square feet of gross floor area | P 2 uses up to 40,000 sq. ft. |
| | Uses 30,000 - 60,000 square feet of gross floor area | P 2 uses up to 40,000 sq. ft. |
| | Uses over 60,000 square feet of gross floor area | S* *Except 1 retail use up to 300,000 sq. ft. shall be permitted by right. |
| | Pharmacies with drive-up window | P, one only. Additional if Special Use Conditions are met. |
| Automobile, motorcycle, boat and recreational vehicle sales, new and used | | S |
| Outdoor commercial display, sales or storage | | S |
| Service Uses | | |
| Banquet halls, assembly halls, dance halls, private clubs, fraternal order halls, lodge halls or other similar places of assembly | | P |
| Business services such as mailing, copying, data processing and retail office supplies | | P |
| Child care centers, preschool and commercial day care | | P |
| Conference Centers | | P |

| | | |
|---|--|---|
| Bed and breakfast inns, hotels and motels with no more than 25 rooms not including accessory convention/meeting facilities or restaurants These uses may include the residence for the owner/manger's family | | P |
| Hotels and motels with more than 25 rooms including accessory convention/meeting facilities and restaurants | | P |
| Personal and business service establishments, performing services on the premises, including: dry cleaning drop-off stations (without on site processing), photographic studios, copy centers, mailing centers, data processing centers, dressmakers and tailors, shoe repair shops, tanning salons, beauty parlors, barber shops, and similar establishments | | P |
| Dry cleaning drop-off stations with drive-through service | | P, one only. Additional if Special Use Conditions are met. |
| Restaurants, taverns, bars, delicatessen, food carryout, and similar establishments serving food or beverages | Standard restaurants, except as provided below | P |
| | Restaurants and bars serving alcoholic beverages | P |
| | Bars providing dancing and live music | P |
| | Restaurants with open front windows | P, one only. Additional if Special Use Conditions are met. |
| | Restaurants with outdoor seating | P |
| | Drive-through restaurants | P, up to two. Additional if Special Use Conditions are met. 500' separation not required. |
| | Drive-in restaurants | S |
| Carry-out restaurants | | P |
| Studios of photographers and artists | | P |
| Tattoo parlors | | P |
| Tool and equipment rental, excluding vehicles | | S |
| Auto Service Uses | | |
| Minor auto repair establishment | | P |
| Auto/gasoline service station | | P, up to two. Additional if Special Use Conditions are met. 500' separation not required. |
| Automobile wash, automatic or self serve | | P – w/conditions in PUD |
| Office Service and Medical Uses | | |
| Banks, credit unions, savings and loan establishments and similar financial institutions | With up to 3 drive-through teller windows | P |
| | With more than 3 drive-through teller windows | P, one only with up to 5 drive-through. Additional if Special Use Conditions are met. |
| | Stand alone automatic drive-up teller machines | P, one only if a principle use. Additional if Special Use Conditions are met. |
| Hospitals | | P |

| | | |
|--|---|--|
| Offices of non-profit professional, civic, social, political and religious organizations | | P |
| Medical urgent care facilities, medical centers and clinics | | P |
| Medical offices of doctors, dentists, optometrists, chiropractors, psychiatrists, psychologists and similar or allied professions, excluding clinics, and urgent care centers | Buildings up to 15,000 square feet of gross floor area | P |
| | Buildings over 15,000 square feet of gross floor area | P |
| Offices of lawyers, engineers, architects, insurance, and real estate agents, financial consultants, and brokers, advertising offices, accounting, and bookkeeping services, clerical, and stenographic services, sales offices, other types of executive, or administrative offices and similar or allied professions | Buildings up to 15,000 square feet of gross floor area | P |
| | Buildings between 15,000 and 55,000 square feet of gross floor area | P |
| | Buildings over 55,000 square feet of gross floor area | P |
| Recreation | | |
| Motion picture theaters | | P |
| Public parks and open space | | P |
| Miniature golf courses and driving ranges | | S |
| Recreation (indoor) such as bowling alleys, skating rinks, arcades, archery indoor golf or softball | | S |
| Health clubs, fitness centers, gyms and aerobic clubs | | P |
| Education | | |
| Commercial schools and studios for teaching photography, art, music, theater, dance, martial arts, ballet, etc | | P |
| Vocational and technical training facilities | | P |
| Public/Institutional | | |
| Bus passenger stations | | S |
| Churches, temples and similar places of worship and related facilities | | S, no facility shall occupy more than 4 acres of land. |
| Essential public services and structures, not including buildings and storage yards | | S |
| Public/government buildings such as; township/state/county offices, public museums, libraries and community centers | | S |
| Accessory Uses | | |
| Accessory temporary outdoor sales and events | | P |
| Accessory drive-through service not listed above | | P, one only. Additional if Special Use Conditions are met. |
| Accessory uses, buildings and structures customarily incidental to any of the above | | P |
| Accessory fuel storage and use or storage of hazardous materials | | S |



Exhibit D:
Real Property Agreement

2012R-020056
RECORDED ON
06/11/2012 08:17:56 AM
SALLY REYNOLDS
REGISTER OF DEEDS
LIVINGSTON COUNTY, MI 48843
RECORDING: 40.00
REMON: 4.00
PAGES: 11

REAL PROPERTY BENEFITS AGREEMENT

This Real Property Benefits Agreement is entered into on this 10th day of April, 2012, by and between Howell Public Schools, a Michigan general powers school district, whose address is 411 N. Highlander Way, Suite C, Howell, Michigan 48843 ("HPS" or the "District") and Genoa Charter Township, a Michigan municipal corporation organized under the laws and statutes of the State of Michigan, whose address is 2911 Dorr Road, Brighton, Michigan (the "Township") (individually a "Party" and collectively, the "Parties") upon the terms and conditions set forth below:

WHEREAS, HPS is the owner of a parcel of real property located in the Charter Township of Genoa, Livingston County, Michigan, as described and shown on **Exhibit A** (the "Property"), which is presently the location of the Latson Road Elementary School consisting of 20.52 acres of land, more or less commonly known 1201 S. Latson Road, Charter Township of Genoa, Michigan.

WHEREAS, the Michigan Department of Transportation ("MDOT") has proposed to construct a new interchange at Latson Road providing ingress and egress to eastbound and westbound Interstate 96 (the "Interchange").

WHEREAS, the Township has assisted MDOT and the Livingston County Road Commission in acquiring parcels of land necessary for the construction of the Interchange and related improvements.

WHEREAS, a portion of the Property consisting of 5.95 acres, more or less (including 5.45+/- acres net of existing MDOT right-of-way) (the "Acquired Parcel") as described in **Exhibit B** is necessary for the construction of the Interchange.

WHEREAS, on the date stated above, HPS is selling to, via Warranty Deed of even date herewith, and the Township is acquiring the Acquired Parcel.

WHEREAS, as consideration for the transfer of the Acquired Parcel, the Township has paid a monetary sum of Three Hundred Fifteen Thousand and 00/100 Dollars (\$315,000.00) and has agreed to provide certain benefits to the Property that will remain in effect after the transfer of the Acquired Parcel, which remaining property will consist of approximately 14.5 acres (the "Remaining Parcel"), which Remaining Parcel is described in **Exhibit C**.

WHEREAS, in the event that the construction of the Interchange has not commenced within three (3) years of the date of the Warranty Deed, then the Acquired Parcel will revert to HPS pursuant to the terms and conditions set forth in below.

NOW, THEREFORE, in consideration of the mutual covenants and promises the Parties acknowledge and agree that a substantial portion of the consideration for the transfer of the Acquired Parcel are the following benefits to be provided by the Township to the Remaining Parcel and the Parties wish to memorialize the following benefits:

a. Traffic Light and Latson Road Intersection.

(1) Traffic Signal. The Township acknowledges that the Livingston County Road Commission (“LCRC”) will provide, at its cost, a traffic signal which will permit the efficient flow of vehicular traffic to and from the Remaining Parcel and Latson Road. The traffic signal will be required only if the Interchange is constructed. The Township will cooperate with the LCRC and HPS for the installation of said traffic signal. In the event that the Interchange is constructed, LCRC shall install the traffic signal at such time as set forth in the Livingston County Road Commission - RGL Howell, LLC and GCG Howell, LLC Agreement to Transfer Property dated August 30, 2011 (the “Agreement to Transfer”), or at such time a site plan is approved for any portion of the Remaining Parcel provided that HPS, or its successors, reach an agreement with the LCRC.

(2) Improvement of Intersection. The Parties agree that the costs of the acceleration and deceleration lanes be the obligation of MDOT up to the “spring lines” on the North side of the Interchange. The costs of the “extension” of these lanes will be subject to further negotiation between MDOT and LCRC. The LCRC agrees to provide advance written notice to HPS, its successors and assigns, of any and all planned and preconstruction meetings and to invite HPS, its successors and assigns, to participate and influence decisions with regards to the Interchange. However, it is understood that although HPS and its successors and assigns will be permitted to have a voice at these meetings, they will not be empowered to vote on any final decisions. It is further understood by the Parties that HPS, its successors and assigns and/or other occupants of the Remaining Parcel will be required, at their expense, to perform a limited traffic study to determine the length of the acceleration/deceleration lanes.

(3) Entryway to Remaining Parcel. The Township represents and warrants that it will obtain LCRC’s consent that the width of the entryway to the Remaining Parcel at the Latson Road intersection where the traffic signal is located not be less than the width of Grand Oaks Drive and the density of the Remaining Parcel will not be reduced by the width of the entryway drive.

b. Water and Sanitary Sewer for Remaining Parcel.

(1) Capacity. The Township represents and warrants that the capacity is available for water and sanitary sewer for any future development of the Remaining Parcel at no cost to HPS its successors and assigns.

(2) Residential Equivalent Units ("REUs") for Sanitary Sewer and Water. The Township acknowledges that the Remaining Parcel currently has 22 residential equivalent units (REUs) for sanitary sewer and 20 REUs for water and may be utilized by the District, its successors and assigns, for the future development of the Remaining Parcel. In addition, the Township agrees to provide an additional five (5) REUs for sanitary sewer and seven (7) REU's for water, at no cost, which additional REUs can be utilized by HPS, its successors and assigns, for the future development of the Property. The Township represents and warrants that any additional REUs needed by HPS, its successors and assigns, for the future development of the Property shall be priced at the current 2012 pricing of \$5,000 per REU for water and \$5,500 per REU for sanitary sewer. HPS agrees that all REUs described in this paragraph are only assignable to a successor in title or interest of the Remaining Parcel.

(3) No Other Fees. Other than the REU fees stated above, there are currently no additional connection or capital fees charged by the Township. Other than the fees set forth in subparagraph (2) above, no other connection fees shall be imposed upon HPS, its successor and assigns with regard to the Remaining Parcel. In addition, the Township represents and agrees that the existing 15" gravity sewer on Grand River is at capacity and the Township shall not impose any additional costs on HPS related to increasing the capacity of the Grand River sewer to serve the Remaining Parcel and that the Grand River sewer is the only present sewer capacity constraint for the Remaining Parcel. Notwithstanding the above and except as provided in subparagraph (1) above, the Remaining Parcel shall not be exempted from charges for any sewer system upgrades that benefit the system and are borne on a pro-rata basis by the users of the system. Notwithstanding the foregoing, HPS, its successors and assigns will be subject to fees required for engineering, inspection and fees imposed by other local units of government for the Remaining Parcel.

c. Zoning Concessions. The Township and HPS agree to the following land use concessions for the Remaining Parcel:

| Overall District Lot Area, Temporary Property Dimensions | |
|---|----------|
| Minimum Lot Area | 1 acre |
| Minimum Lot Width | 120 feet |
| Front Yard Setback | 20 feet |
| Side Yard Setback | 10 feet |
| Rear Yard Setback | 20 feet |

| | | |
|---|--|--|
| | | 10 feet |
| | | 5 feet |
| | | 50% building / 85% impervious |
| | | 75 feet & 5 stories |
| | | 15% |
| | | Limited Traffic Study (see paragraph a(2) above) |
| | | 2 Highway Signs –200 sq. ft. & 30' tall |
| <i>("P" is permitted. "S" is Special Land Use. Unlisted uses are not permitted)</i> | | Howell Public Schools Remainder Parcel |
| Retail Uses | | |
| Retail establishments and shopping centers which provide goods such as bakery goods, including bakery items produced on the premises, groceries, produce, meats, provided no slaughtering shall take place on the premises, seafood; dairy products, beverages appliances, electronics, furniture, and home furnishings, apparel, jewelry, art, pharmaceuticals, home improvement supplies, hardware, and garden supplies, sporting goods, bicycles, toys, hobby crafts, videos (rental, and sales), music, musical instruments, books, computer hardware and software, antiques, flower shops, greeting card shops, auto parts and similar establishments not specifically addressed elsewhere | Uses up to 20,000 square feet gross floor area | P |
| | Uses 15,001 - 30,000 square feet of gross floor area | P 2 uses up to 40,000 sq. ft. |
| | Uses 30,000 - 60,000 square feet of gross floor area | P 2 uses up to 40,000 sq. ft. |
| | Uses over 60,000 square feet of gross floor area | S* *Except 1 retail use up to 300,000 sq. ft.. shall be permitted by right. |
| | Pharmacies with drive-up window | P, one only. Additional if Special Use Conditions are met. |
| Automobile, motorcycle, boat and recreational vehicle sales, new and used | | S |
| Outdoor commercial display, sales or storage | | S |
| Service Uses | | |
| Banquet halls, assembly halls, dance halls, private clubs, fraternal order halls, lodge halls or other similar places of assembly | | P |
| Business services such as mailing, copying, data processing and retail office supplies | | P |
| Child care centers, preschool and commercial day care | | P |
| Conference Centers | | P |
| Bed and breakfast inns, hotels and motels with no more than 25 rooms not including accessory convention/meeting facilities or restaurants These uses may include the residence for the owner/manger's family | | P |
| Hotels and motels with more than 25 rooms including accessory convention/meeting facilities and restaurants | | P |
| Personal and business service establishments, performing services on the premises, including: dry cleaning drop-off stations (without on site processing), photographic studios, copy centers, mailing centers, data processing centers, dressmakers and tailors, shoe repair shops, tanning salons, beauty parlors, barber shops, and similar establishments | | P |
| Dry cleaning drop-off stations with drive-through service | | P, one only. Additional if Special Use Conditions are met. |
| Restaurants, taverns, bars, delicatessen, food | Standard restaurants, except as provided below | P |

| | | |
|--|---|---|
| carryout, and similar establishments serving food or beverages | Restaurants and bars serving alcoholic beverages | P |
| | Bars providing dancing and live music | P |
| | Restaurants with open front windows | P, one only. Additional if Special Use Conditions are met. |
| | Restaurants with outdoor seating | P |
| | Drive-through restaurants | P, up to two. Additional if Special Use Conditions are met. 500' separation not required. |
| | Drive- in restaurants | S |
| | Carry-out restaurants | P |
| Studios of photographers and artists | | P |
| Tattoo parlors | | P |
| Tool and equipment rental, excluding vehicles | | S |
| Auto Service Uses | | |
| Minor auto repair establishment | | P |
| Auto/gasoline service station | | P, up to two. Additional if Special Use Conditions are met. 500' separation not required. |
| Automobile wash, automatic or self serve | | P – w/conditions in PUD |
| Office Service and Medical Uses | | |
| Banks, credit unions, savings and loan establishments and similar financial institutions | With up to 3 drive-through teller windows | P |
| | With more than 3 drive-through teller windows | P, one only with up to 5 drive-through. Additional if Special Use Conditions are met. |
| | Stand alone automatic drive-up teller machines | P, one only if a principle use. Additional if Special Use Conditions are met. |
| Hospitals | | P |
| Offices of non-profit professional, civic, social, political and religious organizations | | P |
| Medical urgent care facilities, medical centers and clinics | | P |
| Medical offices of doctors, dentists, optometrists, chiropractors, psychiatrists, psychologists and similar or allied professions, excluding clinics, and urgent care centers | Buildings up to 15,000 square feet of gross floor area | P |
| | Buildings over 15,000 square feet of gross floor area | P |
| Offices of lawyers, engineers, architects, insurance, and real estate agents, financial consultants, and brokers, advertising offices, accounting, and bookkeeping services, clerical, and stenographic services, sales offices, other types of executive, or administrative offices and similar or allied professions | Buildings up to 15,000 square feet of gross floor area | P |
| | Buildings between 15,000 and 55,000 square feet of gross floor area | P |
| | Buildings over 55,000 square feet of gross floor area | P |
| Recreation | | |
| Motion picture theaters | | P |

| | |
|---|--|
| Public parks and open space | P |
| Miniature golf courses and driving ranges | S |
| Recreation (indoor) such as bowling alleys, skating rinks, arcades, archery indoor golf or softball | S |
| Health clubs, fitness centers, gyms and aerobic clubs | P |
| Education | |
| Commercial schools and studios for teaching photography, art, music, theater, dance, martial arts, ballet, etc | P |
| Vocational and technical training facilities | P |
| Public/Institutional | |
| Bus passenger stations | S |
| Churches, temples and similar places of worship and related facilities | S, no facility shall occupy more than 4 acres of land. |
| Essential public services and structures, not including buildings and storage yards | S |
| Public/government buildings such as; township/state/county offices, public museums, libraries and community centers | S |
| Accessory Uses | |
| Accessory temporary outdoor sales and events | P |
| Accessory drive-through service not listed above | P, one only. Additional if Special Use Conditions are met. |
| Accessory uses, buildings and structures customarily incidental to any of the above | P |
| Accessory fuel storage and use or storage of hazardous materials | S |

The Township shall amend its Master Plan and to take any other action necessary to comply with the land use concession described in this Paragraph 8.

d. Conceptual Planned Unit Development Plan.

(1) Preparation of Conceptual Planned Unit Development Plan. The Parties agree to work cooperatively to prepare a Conceptual Planned Unit Development Plan (the "Conceptual PUD Plan") for the Remaining Parcel. The Township agrees to waive its administration fees, including without limitation any planning commission fees. However, the Parties acknowledge any third party engineering and planning and consulting fees will be charged for the development and preparation of the Conceptual PUD Plan, which amounts will be shared equally by the Parties.

(2) Submission of Conceptual PUD Plan. The Parties agree to work cooperatively to submit a joint petition for the Conceptual PUD Plan. The Parties shall equally share the costs of any third party consulting fees. The Township will amend its Master Plan to accommodate the expected future use of the Remaining Parcel with a designation for the Remaining Parcel of NR/PUD. Any requested "adjustment(s)" for the Remaining Parcel must be reviewed and approved by the Township prior to any such adjustment(s) being made. All such adjustment(s) shall be approved provided that the adjustment(s) will not alter the land use designation or increase the intensity and/or

density of use. All development of the Remaining Parcel shall be subject to final PUD site plan and land division approval. After the Conceptual PUD Plan is developed, no modifications of the Conceptual PUD Plan will be permitted which will substantially increase the impact upon adjoining properties or facilities without Township approval, which approval shall not be unreasonably withheld.

(3) Livingston County Planning Commission Approval. The Parties agree to work cooperatively to jointly submit and obtain a recommendation for the Conceptual PUD Plan for the Remaining Parcel from the Livingston County Planning Commission.

e. Communications Tower.

The Township acknowledges that there is a communications tower currently located on the Remaining Parcel. The Township agrees that the use of the communications tower can continue and the District, its successors and assigns may locate the communications tower with the Remaining Parcel. However, in no event shall the height of the communications tower be increased above its current height of one hundred (100) feet.

f. Demolition of School Building and Related Structures.

The Township acknowledges that there is a school building and related structures currently located on the Remaining Parcel. The Township agrees that the demolition of the school building, in whole or in part, and the demolition of related structures on the Remaining Parcel may proceed by HPS, its successors and assigns without the consent or approval of the Township.

g. Termination. in the event that the construction of the Interchange has not commenced within three (3) years of the date of the Warranty Deed, then the Acquired Parcel will revert to HPS pursuant to the terms and conditions set forth in the Warranty Deed and this Agreement shall terminate.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

**HOWELL PUBLIC SCHOOLS,
a Michigan general powers school district**

Dated: 5/10/12

By: Ronald C. Wilson
Ronald Wilson

Its: Superintendent of Schools

Acknowledged before me in LIVINGSTON County, Michigan, this 10th day of May, 2012, by Ronald Wilson, Superintendent of Schools, Howell Public Schools, a Michigan general powers school district.

Carole A. Bullion (signature)

(printed)

**CAROLE A. BULLION
NOTARY PUBLIC, LIVINGSTON CO.
My commission expires 03-08-2013
Acting in LIVINGSTON**

Notary Public, _____ County, Michigan
My Commission Expires: _____
Acting in the County of _____

**GENOA CHARTER TOWNSHIP,
a Michigan municipal corporation**

Dated: 5/10/12

By: Gary McCrie
Gary McCrie

Its: Supervisor

Acknowledged before me in LIVINGSTON County, Michigan, this 10th day of May, 2012, by Gary McCrie, Supervisor, Genoa Charter Township, a Michigan municipal corporation.

Carole A. Bullion (signature)

(printed)

**CAROLE A. BULLION
NOTARY PUBLIC, LIVINGSTON CO.
My commission expires 03-08-2013
Acting in LIVINGSTON**

Notary Public, _____ County, Michigan
My Commission Expires: _____
Acting in the County of _____

***Prepared By and After
Recording Return To:***
Gordon W. VanWieren, Jr., Esq.
Thrun Law Firm, P.C.
P.O. Box 2575
East Lansing, Michigan 48826-2575

w:\wdsystem\wddocs\cliedoc\73\189\00755199.docx

Exhibit A

Legal Description for Entire Parcel of Property

Part of the Northwest 1/4 of Section 9, Town 2 North, Range 5 East, Genoa Township, Livingston County, Michigan, described as follows: Commencing at the Northwest corner of Section 9; thence South 02 degrees 33'37" East, along the West line of said Section and the centerline of Latson Road, 718.36 feet; to the point of beginning of the parcel to be described; thence North 87 degrees 20'53" East, 700.00 feet; thence South 02 degrees 33'37" East, 1260.92 feet; thence South 84 degrees 45'08" West, along the Northerly line of Detroit Edison Right of Way, 700.77 feet, to the West line of said Section and the centerline of Latson Road; thence North 02 degrees 33'37" West, along said line 1292.66 feet, to the point of beginning.

Exhibit B

Legal Description for the Acquired Parcel

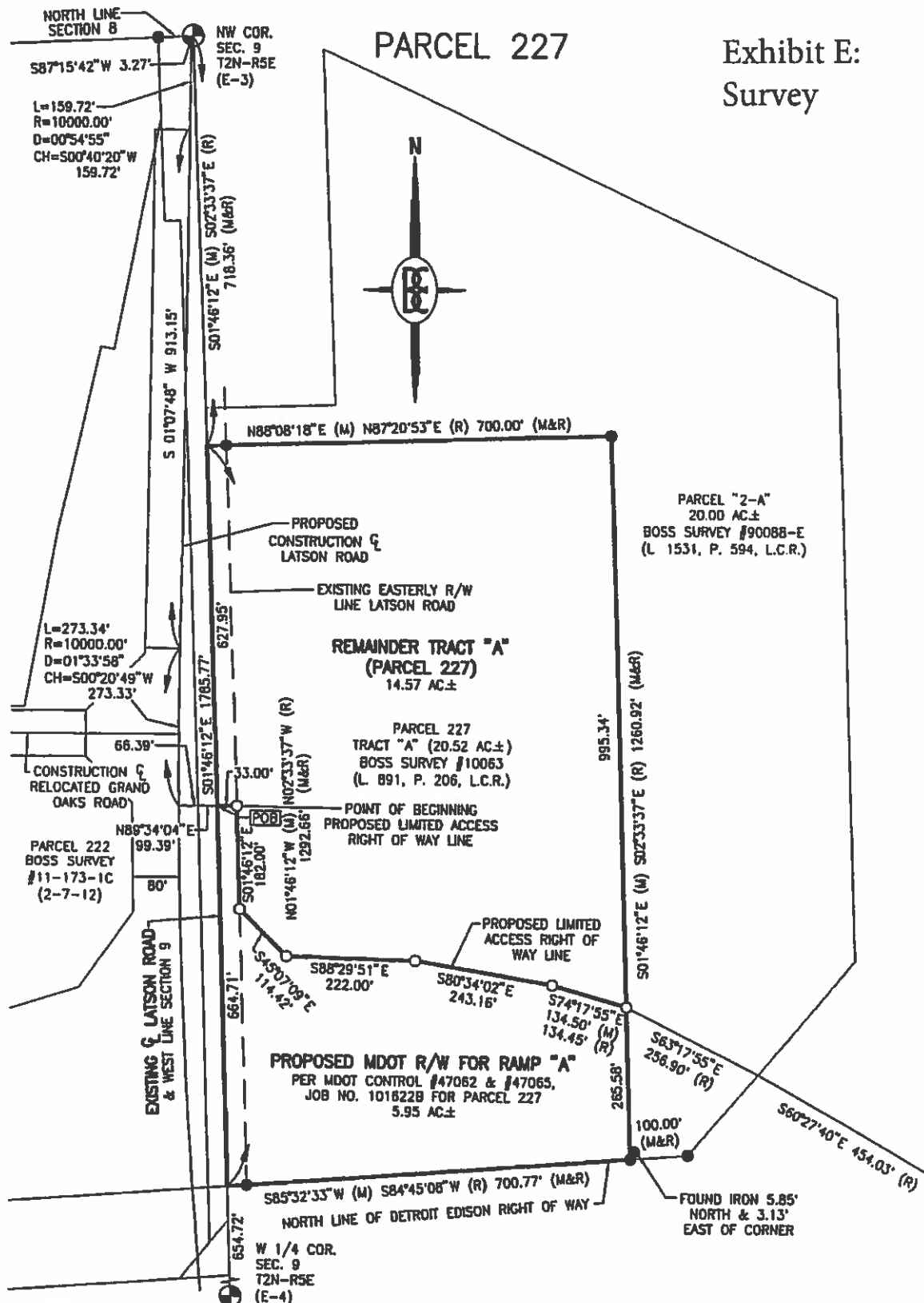
Part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Latson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence continuing N 89°34'04" E, 33.00 feet, to the existing Easterly Right of Way line of Latson Road; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) S 01°46'12" E, 182.00 feet; 2) S 45°07'09" E, 114.42 feet; 3) S 88°29'51" E, 222.00 feet; 4) S 80°34'02" E, 243.16 feet; 5) S 74°17'55" E, 134.50 feet (recorded as 134.45 feet); thence S 01°46'12" E (recorded as S 02°33'37" E), 265.58 feet; thence along the North line of Detroit Edison Right of Way, S 85°32'33" W (recorded as S 84°45'08" W), 700.77 feet; thence along the existing centerline of Latson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 664.71 feet, to the POINT OF BEGINNING, containing 5.95 acres, more or less, and including the use of Latson Road. Also subject to any other easements or restrictions of record.

Exhibit C

Legal Description of Remaining Parcel

Part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Latson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence along the existing centerline of Latson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 627.95 feet, said point being the following course from the Northwest Corner of Section 9; along the existing centerline of Latson Road and West line of Section 9, S 01°46'12" E (recorded as S 02°33'37" E), 718.36 feet; thence N 88°08'18" E (recorded as N 87°20'53" E), 700.00 feet; thence S 01°46'12" E (recorded as S 02°33'37" E), 995.34 feet; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) N 74°17'55" W, 134.50 feet (recorded as 134.45 feet); 2) N 80°34'02" W, 243.16 feet; 3) N 88°29'51" W, 222.00 feet; 4) N 45°07'09" W, 114.42 feet; 5) N 01°46'12" W, 182.00 feet; thence S 89°34'04" W, 33.00 feet, to the POINT OF BEGINNING, containing 14.57 acres, more or less, and including the use of Latson Road. Also subject to any other easements or restrictions of record.

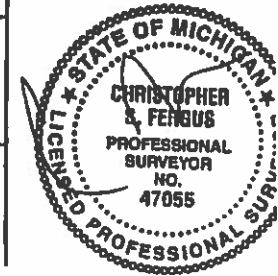
Exhibit E: Survey



I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE RATIO OF CLOSURE ON THE UNADJUSTED FIELD OBSERVATIONS OF SUCH SURVEY WAS 1/10,000 AND THAT SAID SURVEY FULLY COMPLIES WITH THE REQUIREMENTS OF PUBLIC ACT NUMBER 132 OF 1970, AS AMENDED.

DESCRIPTION:
PART OF THE NORTHWEST
1/4, SEC. 9, T2N-R5E,
GENOA TOWNSHIP,
LIVINGSTON COUNTY,
MICHIGAN

BOSS ENGINEERING
ENGINEERS • SURVEYORS • PLANNERS
LANDSCAPE ARCHITECTS
(E-MAIL: info@bosseng.com)
3105 E. GRAND RIVER AVE., TOWNSHIP, MI 48063
(248) 248-0228, FAX (248) 248-3028



CLIENT:
GENOA CHARTER
TOWNSHIP

SCALE: 1 INCH = 200 FEET

- LEGEND**
- = IRON SET
 - = IRON FOUND
 - + - = FENCE
 - (R) = RECORDED
 - (M) = MEASURED

JOB NO. 11-173-2 DATE 4-25-12
SHEET 1 OF 3 FB 505 CREW BP/EB DR. AEB CK. P.J.F

G:\11-173\dwg\PARCEL-227-BNDRY.dwg, 4/25/2012 3:30:05 PM, andy

TRACT "A" (PARCEL 227), AS PROVIDED, PER MDOT TECHNICIAN'S WORK SHEET, CONTROL NO. 47065, JOB NO. 101622B, DATED MAY 14, 2009 AND ALSO DESCRIBED IN SURVEY BY BOSS ENGINEERING, JOB NO. 10063, DATED 7-19-78, AS RECORDED IN LIBER 891, PAGE 206, LIVINGSTON COUNTY RECORDS:

Part of the Northwest 1/4 of Section 9, Town 2 North, Range 5 East, Genoa Township, Livingston County, Michigan, described as follows: Commencing at the Northwest corner of Section 9; thence South 02 degrees 33'37" East, along the West line of said Section and the centerline of Latson Road, 718.38 feet; to the point of beginning of the parcel to be described; thence North 87 degrees 20'53" East, 700.00 feet; thence South 02 degrees 33'37" East, 1260.92 feet; thence South 84 degrees 45'08" West, along the Northerly line of Detroit Edison Right of Way, 700.77 feet, to the West line of said Section and the centerline of Latson Road; thence North 02 degrees 33'37" West, along said line 1292.66 feet, to the point of beginning.

PROPOSED MDOT RIGHT OF WAY FOR RAMP "A":

Part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Latson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence continuing N 89°34'04" E, 33.00 feet, to the existing Easterly Right of Way line of Latson Road; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) S 01°46'12" E, 182.00 feet; 2) S 45°07'09" E, 114.42 feet; 3) S 88°29'51" E, 222.00 feet; 4) S 80°34'02" E, 243.16 feet; 5) S 74°17'55" E, 134.50 feet (recorded as 134.45 feet); thence S 01°46'12" E (recorded as S 02°33'37" E), 265.58 feet; thence along the North line of Detroit Edison Right of Way, S 85°32'33" W (recorded as S 84°45'08" W), 700.77 feet; thence along the existing centerline of Latson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 684.71 feet, to the POINT OF BEGINNING, containing 5.95 acres, more or less, and including the use of Latson Road. Also subject to any other easements or restrictions of record.

REMAINDER TRACT "A" (PARCEL 227):

Part of the Northwest 1/4 of Section 9, T2N-R5E, Genoa Township, Livingston County, Michigan, more particularly described as follows: Commencing at the Northwest Corner of Section 9; thence along the North line of Section 8, T2N-R5E, Genoa Township, Livingston County, Michigan, S 87°15'42" W, 3.27 feet; thence along the Proposed Latson Road construction centerline, the following three (3) courses: 1) southerly along an arc right, having a length of 159.72 feet, a radius of 10000.00 feet, a central angle of 00°54'55", and a long chord which bears S 00°40'20" W, 159.72 feet; 2) S 01°07'48" W, 913.15 feet; 3) southerly along an arc left, having a length of 273.34 feet, a radius of 10000.00 feet, a central angle of 01°33'58", and a long chord which bears S 00°20'49" W, 273.33 feet; thence N 89°34'04" E, 66.39 feet, to the POINT OF BEGINNING of the Parcel to be described; thence along the existing centerline of Latson Road & the West line of Section 9, N 01°46'12" W (recorded as N 02°33'37" W), 627.95 feet, said point being the following course from the Northwest Corner of Section 9; along the existing centerline of Latson Road and West line of Section 9, S 01°46'12" E (recorded as S 02°33'37" E), 718.38 feet; thence N 88°08'18" E (recorded as N 87°20'53" E), 700.00 feet; thence S 01°46'12" E (recorded as S 02°33'37" E), 995.34 feet; thence along the Proposed Limited Access Right of Way line, the following five (5) courses: 1) N 74°17'55" W, 134.50 feet (recorded as 134.45 feet); 2) N 80°34'02" W, 243.16 feet; 3) N 88°29'51" W, 222.00 feet; 4) N 45°07'09" W, 114.42 feet; 5) N 01°46'12" W, 182.00 feet; thence S 89°34'04" W, 33.00 feet, to the POINT OF BEGINNING, containing 14.57 acres, more or less, and including the use of Latson Road. Also subject to any other easements or restrictions of record.

Bearings were established from descriptions provided by MDOT, Control No. 47062 & Control No. 47065, Job No. 101622B, for Parcel 227 & Survey by Boss Engineering, Job No. 10063, dated 7-19-78, as recorded in Liber 891, Page 206, Livingston County Records.

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April 25, 2012

Job Number: 11-173-2
Sheet: 2 of 3

BOSS ENGINEERING
ENGINEERS & SURVEYORS

3121 E. Grand River Ave. Howell, MI 48843
Phone (517)548-4836 • Fax (517)548-1670



CHRISTOPHER S. FERGUS, P.S.

REFERENCES:

1. Warranty Deed as recorded in Liber 890, Page 548, Livingston County Records.
2. Survey by Boss Engineering, Job No. 10063, dated 7-19-78, as recorded in Liber 891, Page 206, Livingston County Records.
3. Survey by Boss Engineering, Job No. 90086-E, dated 12-24-91, as recorded in Liber 1531, Page 594, Livingston County Records.
4. MDOT Right of Way Maps for proposed I-96 at Lalson Road Interchange, Sheets 173-178, dated 05/19/11.

WITNESSES:

Northwest Corner, Section 9, T2N-R5E (E-03) LSC#1718m
Livingston County Remon Brass Cap
N 65° 62.21' Remon N/T NW/S Utility Pole
S 50° E 33.38' Remon N/T N/S 24" Oak
S 30° E 93.80' Remon N/T W/S Utility Pole
S 10° E 113.34' Remon N/T W/S 24" Oak

West 1/4 Corner, Section 9, T2N-R5E (E-04) LSC#1719m
Livingston County Remon Brass Cap
N 75° E 86.53' Remon N/T S/S 18" Oak
S 75° E 69.75' Remon N/T S/S 18" Oak
N 75° W 159.30' Remon N/T S/S 15" Oak
S 40° W 72.13' Remon N/T NW/S 30" Hickory

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April 25, 2012

Job Number: 11-173-2
Sheet: 3 of 3

CJF

 **BOSS ENGINEERING**
ENGINEERS & SURVEYORS

3121 E. Grand River Ave. Howell, MI 48843
Phone (517)546-4836 • Fax (517)546-1670



[Signature]
CHRISTOPHER S. FERBUS, P.S.

Exhibit F: Design Guidelines

Interchange Commercial Examples

- Access management that will minimize the number of driveways and protect the efficiency of traffic flow along Latson Road between the interchange and Grand River Avenue.
 - Distinct and prominent architectural features of enhanced character, which reflect the importance of the site's location and create a positive visual landmark for this gateway to the community.
 - Extensive landscaping along Latson Road and Grand River Avenue to enhance the appearance of these corridors and the gateway to the community.
 - Uniformity in design through coordination of architectural styles, landscaping, ornamental lighting, pedestrian circulation and vehicular access.
- The areas immediately south of the interchange along S. Latson Road are planned for Interchange Commercial, as described in Section B above. This area is intended to accommodate the needs of interstate traffic and should complement, not duplicate the commercial areas north a long Latson and Grand River.
 - The areas adjacent to the Interchange Commercial area as depicted on the map are planned for Interchange Campus uses. This area can be served by utility extensions and is intended to be a well-planned, campus setting.
 - Residential development along S. Latson Road south of the Interchange Campus area will remain at large lot residential densities. The intent is to protect the residential character and natural features through lower density development (Future Transition Area on Map X).
 - As the areas designated for Interchange Commercial and Campus are approved for significant development, areas south currently planned residential should be reevaluated for potential supporting uses, conditional upon the utility and roadway capacities, as shown as Future Transition Area on Map 10. This plan is intended to be flexible, balancing the impacts of new development on the infrastructure system, accommodating new uses dependent on surrounding uses, and limiting the negative impacts on existing nearby uses.



South Latson Interchange Design Guidelines

Streetscape

Streetscape improvements, such as street lights, landscaping, wayfinding signage, and pathways, should be integrated into the interchange commercial and campus developments. This will contribute to the unified, high-quality development the Township would like to project at the new interchange.

- As part of the development of the South Latson campus, a landscaped median should be installed south of the railroad. This will not only help beautify the corridor but improve safety by restricting left-turns.

- Ornamental street lighting should be included along South Latson and within the new development itself to contribute toward the site's unified design.
- South Latson should be well landscaped, not only in the median, but along the frontage, with street trees and knee walls or hedgerows screening parking.
- Gateway and wayfinding signs should be installed at the interchange welcoming visitors to the Township and directing them to major landmarks. This signage should be consistent with that proposed along Grand River and for the Town Center. Elements of a gateway entrance sign should include lighting, landscaping, and masonry material.
- Pathways should be installed on both sides of South Latson and connect to the interior of the site. Buildings and parking should all have pedestrian connections to the pathway network.



Access and Circulation

In order to efficiently accommodate new traffic that is likely to result from new development, having a coordinated circulation and access plan is essential.

- A signalized intersection should be located approximately 1/4 mile south of the railroad at Sweet Road. This should be the primary entrance to campus Area A as identified on the Subarea Map.
- An additional entrance to Area A should be located halfway between the signalized intersection and the railroad tracks and be right-in/right-out.
- Area A's ring road should be sensitive of the wetland/wooded area in its southeast corner and provide stub roads for future connections to the south.
- Area B should be accessed via the newly realigned Beck Road which can be extended and configured into a loop road.
- Area B's loop road should be sensitive to the wetland/natural areas at the south of the site.
- Auxiliary campus uses on the east side of South Latson across from Area A should be primarily accessed via the signalized intersection. Additional access points north and south of the signalized intersection should be right-in/right-out. A frontage road will help provide convenient access for these businesses and should continue south for future connections.
- No access points other than Beck Road should be allowed on South Latson at the interchange north of the railroad tracks. Businesses fronting South Latson at this location should share access off Beck Road.



- Access to the Future Transition Area should be integrated into the overall circulation plan for Areas A and B.
- Further access management standards are included in the Township's zoning ordinance and MDOT's Access Management Manual

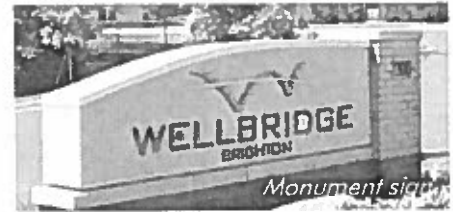
Building and Site Design

In order to establish a cohesive, high-quality campus at the South Latson interchange, it will be important to have consistent building and site design features.

- Entrances should be well defined and easily accessible by pedestrians.
- Buildings should orient toward South Latson where possible with parking given a less dominant presence along the corridor.
- Parking should be buffered with landscaping or decorative fencing.
- Understanding that a user like a hospital may need several stories for its patient wings, this plan seeks not to require a maximum building height. More importantly, any new building built along South Latson fronting the corridor should be built at a pedestrian scale at its Latson frontage.
- Stormwater should be consolidated and treated through low-impact design and retention ponds that contribute to the existing natural character of the site.
- Building orientation should be sensitive to wetlands and existing natural features and be situated to maximize the sight lines and pedestrian access to enjoy them.
- Materials should be of high quality brick, stone, glass, or similar, reflective of a well-designed modern research park or medical campus.
- Loading zones and waste receptacles should be well delineated and appropriately screened (see zoning ordinance).
- Lighting should be directed downward and fully shielded to eliminate an outward or upward glare, providing for adequate public safety without overly illuminating a site or building.
- Site lighting should consist of decorative fixtures, such as goose neck fixtures, and be architecturally integrated with the building style, materials and color. Pole fixtures should be located within landscaped islands or behind the curb or sidewalk.
- Monument signs should be well landscaped and have masonry bases.



- Signs should be comprised of an interesting design that adds interest to the business and the streetscape. Signs that have the appearance of a box sign are discouraged.
- Signs should be architecturally integrated with their surroundings in terms of size, shape, color, texture and lighting and not promote visual competition with other signs in the area.



Former Latson School Site PUD Impact Assessment

The following impact assessment follows the requirements of Section 18.07 "Written Impact Assessment Requirements" of the Genoa Township Zoning Ordinance.

1. Preparer.

Prepared by:

LSL Planning, a SAFEbuilt Company
306 S. Washington Avenue Suite 400
Royal Oak, MI 48067

Prepared for:

Howell Public Schools
411 N. Highlander Way, Suite C
Howell, MI 48843

Charter Township of Genoa
2911 Dorr Road
Brighton, MI 48116

2. Location.

The former Latson Elementary School site (1201 S. Latson Road) is located northeast of the new I-96 interchange at Latson Road. A portion of the site was required to accommodate the interchange's off-ramp, and the remaining parcel is approximately 14.5 acres. The former school building and facilities still remain but are expected to be demolished in the near future, leaving a vacant site. The site is bordered by the Prentis Estates apartments to the east whose driveway borders the north of the site. The Livingston Commons PUD is across the street, with Lowe's and Staple's to the northwest and Phase II slated for redevelopment to the southwest.

Latson Road is 2 lanes with a center turn lane under the jurisdiction of the Livingston County Road Commission.

The site is served with municipal water and sanitary sewer through infrastructure in Latson Road. Existing gravity sanitary sewer is on the site and has capacity to serve the proposed development. Water distribution piping is also extended to the site and provides domestic and fire protection.

Storm water is managed on site through sheet flow to the south and east. The storm water exits the site to the south in an open swale along the exit ramp for I-96. Currently there are no detention basins on the site.

There are no significant natural features on the site, just some minor landscaping around the former school building. The property slopes to the southeast corner of the site. The total elevation change within the site is approximately 12'.

3. Impact on natural features.

Former Latson School Site PUD Impact Assessment

The property contains no regulated wetlands, woodlands, or streams. The U.S.D.A Soil Conservation Service "Soil Survey of Livingston County" indicates the soil to be Miami Loam with 2-6% slopes.

4. Impact on stormwater management

As stated above, the property slopes to the southeast corner of the site. Storm water runoff currently flows to the open swale along the north side of the I-96 exit ramp. From there the water is directed to the large MDOT detention basin east of the site. Development of the site will need to include detention and sedimentation systems in accordance with local jurisdictions. Facilities are anticipated to be located in the south east corner of the site with the ultimate disposal consistent with existing flow paths.

5. Impact on surrounding land uses.

The Future Land Use map in the Master Plan designates this property as Regional Commercial. This site will be developed as a Planned Unit Development, which means specific uses are not yet known. However, potential uses include a gas station, retail, office, small hotel, and restaurants, which will complement the nearby uses planned across Latson Road and along Grand River Avenue. These uses are compatible with the Future Land Use of the property and nearby businesses.

Uses proposed for the portions of the property adjacent to the apartment complex are expected to have normal business hours that minimally impact the adjacent residential uses. Offices' hours of operation are expected to generally be 8AM-6PM and retail from 9AM-9PM. Those uses proposed for frontage on Latson Road further from the apartments, such as restaurants and a gas station, are expected to have later operating hours. Their proposed location along Latson Road is to minimize their impacts on the adjacent apartments, buffered by the less intensive uses proposed for the rear of the site.

Exterior site lighting will comply with current Township standards, while the nature of potential uses is compatible with surrounding development so as to limit other exterior impacts. The final site design will include appropriate buffering so as to mitigate any potential impacts on the adjacent multiple family development.

6. Impact on public facilities and services.

It is anticipated that the new development will support its fair share of these service costs through appropriate taxing methods. The smaller scale retailers, restaurants and office uses will impact parks, schools, and roads on a minimal basis.

7. Impact on public utilities.

The development will be served by public water and sewer systems currently located at the site. The existing systems have sufficient capacity for the anticipated development density. Reference is made to the South Latson Utility Study prepared by Tetra Tech on behalf of Genoa Township for anticipated impacts from the development on the municipal water and sanitary sewer systems.

8. Storage and handling of any hazardous materials.

Former Latson School Site PUD Impact Assessment

Any future gas station will be developed in accordance with current local, state, and federal requirements. A Pollution Incident Prevention Plan (PIPP) will be provided at such time as a final site plan is developed for any such use.

9. Traffic Impact Study.

Based on the range of uses proposed, the expected range of number of trips is 743 for morning peak and 802 for evening peak hours, according to the 7th Edition of the ITE Trip Generation Manual (see table below). The actual number of trips daily or in the peak hour could vary depending upon the mix of uses and their characteristics. For example, a mixture of office with service uses or restaurants will have more “internal” trips. A gas station would have more “bypass” trips, i.e. the traffic that is already on the roads and thus would not increase traffic except at the driveways. Once there is an actual user, the developer will provide a detailed traffic study, if necessary, in accordance with the Township Zoning Ordinance.

| | General Office | | | Shopping Center | | | Restaurant (sit down) | | | Gas w/ convenience store | | | Total |
|-----------------|----------------|---------|-----------------|-----------------|--------|-----------------|-----------------------|--------|-----------------|--------------------------|------------------|-----------------|--------|
| | Rate | GFA | Trip Generation | Rate | GFA | Trip Generation | Rate | GFA | Trip Generation | Rate | Pumping Stations | Trip Generation | |
| Weekday AM Peak | 1.55 | 275,000 | 426.25 | 1.03 | 25,000 | 25.75 | 11.52 | 20,000 | 230.4 | 10.06 | 6 | 60.36 | 742.76 |
| Weekday PM Peak | 1.49 | 275,000 | 409.75 | 3.75 | 25,000 | 93.75 | 10.92 | 20,000 | 218.4 | 13.38 | 6 | 80.28 | 802.18 |

10. Historical and Cultural Resources.

The former school building is not more than 50 years old and is not historically significant.

11. Special Provisions.

There are no deed restrictions or protective covenants. However a property agreement was filed with Livingston County related to the dedication of land from the school district to the interchange construction.

Future development of the site will also be subject to compliance with the provisions of the PUD Agreement.

Sources:

- 7th Edition of ITE Trip Generation Manual
- U.S.D.A Soil Conservation Service “Soil Survey of Livingston County”
- Real Property Benefits Agreement, dated April 10,2012 between Howell Public Schools and Genoa Township



2911 Dorr Road
Brighton MI 48116
810.227.5225
810.227.3420 fax
genoa.org

PUBLIC HEARING NOTICE -REZONING-

February 17, 2014

Dear Property Owner:

Please be advised that there will be a public hearing for a proposed rezoning held before the Genoa Charter Township Planning Commission on Monday, March 10, 2014 at 6:30 p.m. at the Genoa Township Hall, located at 2911 Dorr Road, Brighton, Michigan 48116.

As required by state law, you are receiving this notice because you have been identified as an owner or occupant of real property within 300 feet of the subject parcel. The property in question is the former Latson Road Elementary School on approximately 14.57 acres located at 1201 S. Latson Road in Howell with the parcel identification number of 4711-09-100-036.

The request is for approval of a rezoning from Rural Residential (RR) to Non-Residential Planned Unit Development (NR-PUD). The rezoning has been petitioned by Howell Public Schools and Genoa Charter Township and includes consideration of a Rezoning Application, PUD Agreement, Impact Assessment, and Conceptual PUD Plan.

You are invited to attend this hearing. If you are unable to attend, written comments may be submitted by writing to the Planning Commission at the Genoa Township Hall, 2911 Dorr Road, Brighton, MI 48116, up to the date of the hearing and may be further received by the Planning Commission at said hearing. In addition, all materials relating to these requests may be examined at the Township Hall during normal business hours.

Genoa Charter Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon seven (7) days' notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township in writing or by calling at (810) 227-5225.

Sincerely,

Kelly VanMarter
Assistant Township Manager/Community Development Director

SUPERVISOR

Gary T. McCririe

CLERK

Pauletia A. Skolarus

TREASURER

Robin J. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell

300 ft Buffer for Noticing



Latson Elementary Rezoning
Howell Public Schools
Parcel: 11-09-100-036
Meeting Date: March 10, 2014



**GENOA CHARTER TOWNSHIP
LIVINGSTON COUNTY, MICHIGAN
NOTICE OF REZONING PUBLIC HEARING**

PLEASE TAKE NOTICE that the Planning Commission of Genoa Charter Township will conduct a public hearing on Monday, March 10, 2014, commencing at 6:30 p.m. at the Genoa Charter Township Hall, 2811 Dorr Road, Brighton, Michigan, as required under the provisions of the Michigan Zoning Enabling Act.

PLEASE TAKE FURTHER NOTICE that the items to be considered at said public hearing include, in brief, the following:

1. Consideration of the rezoning of approximately 14.57 acres in Section 09, located at 1201 S. Latson Road (former Latson Road Elementary School), being Parcel No. 4711-09-100-038, from "RR" Rural Residential zoning classification to "NR-PUD" Non-Residential Planned Unit Development zoning classification.
2. Such other and further matters as may properly come before the Planning Commission at the public hearing.

You are invited to attend this hearing. If you are unable to attend, written comments may be submitted by writing to the Planning Commission at the Genoa Township Hall, 2811 Dorr Road, Brighton, MI 48116, up to the date of the hearing and may be further received by the Planning Commission at said hearing. In addition, all materials relating to these requests may be examined at the Township Hall during normal business hours.

Genoa Charter Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the meeting/hearing upon seven (7) days' notice to the Township. Individuals with disabilities requiring auxiliary aids or services should contact the Township in writing or by calling at (810) 227-5225.

SIGNED:
KELLY VANMARTER
ASSISTANT TOWNSHIP MANAGER/
COMMUNITY DEVELOPMENT DIRECTOR

(02-21-2014 DAILY 181201)



GENOA CHARTER TOWNSHIP
Application for Site Plan Review

GENOA TOWNSHIP
APR 30 2019

TO THE GENOA TOWNSHIP PLANNING COMMISSION AND TOWNSHIP BOARD:

APPLICANT NAME & ADDRESS: Dr. Howard Lipkin, 3172 Interlaken St., W. Bloomfield, MI 48323
If applicant is not the owner, a letter of Authorization from Property Owner is needed.

OWNER'S NAME & ADDRESS: Dr. Howard Lipkin, 3172 Interlaken St., W. Bloomfield, MI 48323

SITE ADDRESS: Grand River Ave. **PARCEL #(s):** 4711-14-200-023

APPLICANT PHONE: 810) 220-4422 **OWNER PHONE:** 810) 220-4422

OWNER EMAIL: marysuederm@gmail.com

LOCATION AND BRIEF DESCRIPTION OF SITE: Located on the south side of Grand River Ave. between Remax Platinum and Kil's Tae Kwon Do. The property is flat and open along Grand River Ave. with scattered trees on the back third.

BRIEF STATEMENT OF PROPOSED USE: Proposed medical office building with associated parking and required storm water management system. Project is proposed in two phases.

THE FOLLOWING BUILDINGS ARE PROPOSED: 8,000 s.f. medical office building in first phase with an additional 8,000 s.f. building in the second phase towards the back of the property.

I HEREBY CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS APPLICATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

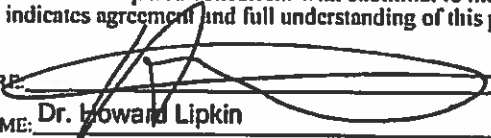
BY: Thom Dumond / Boss Engineering

ADDRESS: 3121 E. Grand River Ave., Howell, MI 48843

Contact Information - Review Letters and Correspondence shall be forwarded to the following:
1.) Thom Dumond of Boss Engineering at thom@bosseng.com
Name Business Affiliation E-mail Address

FEE EXCEEDANCE AGREEMENT

As stated on the site plan review fee schedule, all site plans are allocated two (2) consultant reviews and one (1) Planning Commission meeting. If additional reviews or meetings are necessary, the applicant will be required to pay the actual incurred costs for the additional reviews. If applicable, additional review fee payment will be required concurrent with submittal to the Township Board. By signing below, applicant indicates agreement and full understanding of this policy

SIGNATURE:  DATE: 4/30/14
PRINT NAME: Dr. Howard Lipkin PHONE: 810-220-4422
ADDRESS: 3172 Interlaken St., West Bloomfield, MI 48323



Engineers • Surveyors • Planners • Landscape Architects

May 22, 2014

GENOA TOWNSHIP
MAY 23 2014

Mr. Brian V. Borden, AICP
306 S. Washington Ave. Suite 400
Royal Oak, Michigan 48067

Re: Lipkin Medical Office Building, Genoa Township, Livingston County, Michigan
Boss File No. 13-285

Dear Mr. Borden,

We have received your review letter for the above referred project dated May 14, 2014, and offer the following comments.

1. The building height has been reduced to be a maximum of 20 feet.
2. The building materials have been label on the elevatons.
3. The material calculations have been added to the building elevations.
4. A building rendering has been added to this submittal package.
5. Dr. Lipkin currently has an office in Genoa Township near this site. His current office has an issue with parking. On a regular basis, his patients have found it difficult to find a parking space. Therefore, we are proposing the number of spaces we have determined would adequately service the needs of his patients.
6. It is noted on the site plan that all deliveries will be by UPS or similar vehicles at the main entrance of the building. Therefore, no loading zone has been provided.
7. Additional landscape plantings have been added along the east property to bring the design into ordinance compliance.
8. The minor discrepancies in the landscape plan have been corrected.
9. A sign design has been added to the building elevations.

If you should have any questions, feel free to contact us at any time.

Regards,

BOSS ENGINEERING COMPANY

A handwritten signature in black ink, appearing to read "Thomas H. Dumond".

Thomas H. Dumond, R.L.A., LEED AP,
Vice President Planning and Landscape Architect

CC: G:\13-285\docs\13-285I4.doc



BOSS ENGINEERING

3121 E. Grand River
Howell, Michigan 48843

GENOA TOWNSHIP
MAY 23 2014

May 22, 2014

Mr. Gary Markstrom, P.E.
Tetra Tech
401 South Washington Square
Suite 100
Lansing, MI 48933

Re: Lipkin Medical Office Building, Genoa Township, Livingston County, Michigan
Boss File No. 13-293

Dear Mr. Markstrom:

We received the review letter from Tetra Tech for the Lipkin Medical Building dated May 14, 2014. Below is a list of the revisions and additions we have made to the site plan based on the comments.

SITE PLAN

1. The proposed contours have been shown on the green space areas of the grading plan. The grades in the area of the north entrance have been corrected and supplemented to show intended drainage.
2. Existing public utilities and sizes have been labeled on the plan.
3. The proposed 5' wide sidewalk along the Grand River Ave. frontage has been moved southerly to 1' outside the Road Commission right-of-way to align better with the existing walks on each side of the our side lot lines. A 7' wide sidewalk easement has been added to the plan.
4. Cross section details have been added to the site plan showing the proposed Phase 1 and Phase 2 butt joint construction at the southern edge of pavement. The proposed edge of asphalt has been moved 2' to the south, to allow a proper future butt joint which will serve as a break point for the overall parking lot drainage. Refer to Sheet 8 which now shows Interim drainage and erosion control in the Phase 2 portion of the site.
5. A SESC Inlet protection device was inadvertently omitted and added to the existing adjacent catch basin west of the south driveway.

UTILITY PLAN

1. An 8"x8" Tapping Sieve note has been added to the Utility Plan and the 12" reference on the profile sheet has been revised to show 8" water main in street. The relocated hydrant at the driveway entrance has been removed from the drawing, since the existing location does not interfere with the newly relocated sidewalk.

517 548 4836
Fax 517 548 1670
e-mail be@bosseng.com
www.bosseng.com

2. Lengths and dimensions have been revised on the Utility Plan. Also, refer to the profile for additional utility lengths.
3. The water main notes have been revised to show that the water main is at least 21.0' away from the corner of the building (ie. 20' from the footing).
4. We have confirmed with Tetra Tech that the water flow rate in the existing 8" water main in Grand River Ave. is 130GPM at an average pressure of 60psi, which should be sufficient for domestic service to the two buildings since they will not incorporate an internal fire suppression system.
5. Construction plans will be submitted to MHOG for review and permitting.

RETENTION AND HYDRAULICS PLAN

1. Storm sewer labels have been added to the plan view, to match the pipe schedule.
2. As confirmed by Tetra Tech on May 21, 2014, minimum storm sewer pipe slopes shown on the plans are acceptable as is, since the official revised Genoa Engineering Design Standards are not yet ready for issue.
3. Drainage patterns have been revised due corrections in the grading at the north entrance.
4. Roof runoff will be directed to building downspout leads and a 10" PVC perimeter collection system which will drain into catch basin #7.

WATER MAIN PROFILE

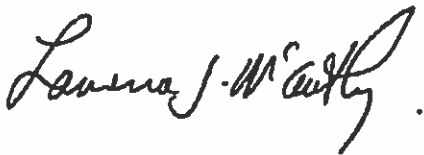
1. Existing 8" pipe and tapping sleeve reference has been relabeled.
2. Two 45° vertical bends are needed and labeled on the profile.

MHOG SANITARY SEWER DETAILS

1. The interior drop connection has been omitted and the "Install Vertical Drop" note has been changed to correctly identify the need for two 45° vertical bends for a riser.

Feel free to contact us should you have any questions, or if you are in need of any additional information.

Sincerely,
BOSS ENGINEERING COMPANY



Lawrence McCarthy, P.E.
Project Manager



Thomas H. Dumond, R.L.A., LEED AP
Director of Planning and Landscape Architect



Engineers • Surveyors • Planners • Landscape Architects

May 22, 2014

GENOA TOWNSHIP
MAY 23 2014

Mr. Michael Evans, EFO, CFPS
615 W. Grand River Ave.
Brighton, MI 48116

Re: Lipkin Medical Office Building, Genoa Township, Livingston County, Michigan
Boss File No. 13-285

Dear Mr. Evans,

We have received your review letter for the above referred project dated May 8, 2014, and offer the following comments.

1. The address of this property has not been assigned yet.
2. The location of the address has been added to the monument sign.
3. The parking lot has been modified to meet the emergency vehicle turning requirements.

If you should have any questions, feel free to contact us at any time.

Regards,

BOSS ENGINEERING COMPANY

A handwritten signature in black ink, appearing to read "Thomas H. Dumond".

Thomas H. Dumond, R.L.A., LEED AP,
Vice President Planning and Landscape Architect

CC: G:\13-285\docs\13-285i5.doc



May 29, 2014

Planning Commission
Genoa Township
2911 Dorr Road
Brighton, Michigan 48116

| | |
|-------------------|---|
| Attention: | Mike Archinal, AICP Township Manager |
| Subject: | Lipkin Medical Office Building – Site Plan Review #2 |
| Location: | Grand River Avenue – south side of Grand River, west of Hubert Road |
| Zoning: | NSD Neighborhood Services District |

Dear Commissioners:

At the Township’s request, we have reviewed the revised site plan (dated 5/21/14) proposing development of a new 8,000 square foot medical office building on a vacant 3-acre site. We have reviewed the proposal in accordance with the applicable provisions of the Genoa Township Zoning Ordinance and provide the comments below for your consideration.

A. Summary

1. The combination of both buildings will exceed 15,000 square feet; therefore, development of Phase 2 will require special land use approval in addition site plan review/approval.
2. The Planning Commission has approval authority over the building elevations.
3. Planning Commission approval is needed for the amount of parking proposed (137.5% of that required). The submittal notes that the proposed overage is due to parking demands seen at the doctor’s current practice.
4. A dedicated loading space is not provided; however, the applicant notes that small truck (UPS, FedEx) deliveries will be made at the main entrance of the building without disrupting traffic. The Planning Commission has discretion to modify the size requirements of the loading area.
5. There are minor labeling issues on the landscape plan that should be corrected.

B. Proposal/Process

The applicant requests site plan review and approval for development of an 8,000 square foot medical office building on the vacant 3-acre site. Table 7.02 lists medical offices with up to 15,000 square feet of gross floor area as a permitted use in the NSD.

As a side note, the project identifies a future phase with another 8,000 square foot building. At such time as Phase 2 is submitted for review, the applicant will also need to obtain special land use approval given the total square footage of medical office proposed.

Because Phase 1 entails a permitted use, Planning Commission has review and approval authority over the site plan, although the Environmental Impact Assessment will be subject to review and approval by the Township Board (following a recommendation by the Planning Commission).



Aerial view of site and surroundings (looking south)

C. Site Plan Review

1. **Dimensional Requirements.** As described in the table below, the project complies with the dimensional standards of the NSD:

| District | Lot Size | | Minimum Setbacks (feet) | | | | Max. Height |
|----------|------------------|--------------|-------------------------|----------------------|-----------|--------------------------------|-------------|
| | Lot Area (acres) | Width (feet) | Front Yard | Side Yard | Rear Yard | Parking | |
| NSD | 1 | 100 | 35 | 10 | 40 | 10 side/rear | 20' |
| Proposal | 2.8 | 202 | 40.75 | 13.3 (E) 35.6 (W) | 490 | 11.6 side (E) 45.2 side (W) | 19' |

2. **Building Materials and Design.** Proposed elevations, including colors and materials, are subject to review and approval by the Planning Commission. The submittal includes elevation views of each side of the building and a color rendering. In accordance with Table 12.01.03, the submittal includes a table of building materials, however the percentages include door and window glass. As the building is proposed to be predominantly brick and limestone, the painted sheet metal accents appear to be below the 25% maximum allowed.
3. **Parking.** In accordance with Section 14.04, medical offices require 1 parking space for each 200 square feet of gross floor area. Based upon the size of the proposed building, 40 spaces are required for Phase 1, while 55 spaces are provided.

In accordance with Section 14.02.06, Planning Commission approval is required since the amount parking proposed exceeds the minimum requirement by more than 20%. In this instance, the amount of parking represents an overage of 37.5%. In response, the applicant has indicated that the amount of parking proposed is consistent with the demand seen at Dr. Lipkin's current practice elsewhere in the Township.

The parking spaces, drive aisles and number of barrier free spaces all meet or exceed the requirements of Article 14. In fact, several of the drive aisles are 6-foot wider than required, although it appears the additional space is needed for fire truck maneuverability around the site.

4. **Pedestrian Circulation.** Section 12.05 requires a 5-foot wide concrete sidewalk for properties along Grand River east of the 141 interchange. The site plan includes the required sidewalk along Grand River, as well as connections between the building entrances and public sidewalk and between the parking lot and building.
5. **Vehicular Circulation.** Vehicular access to the site is proposed via a shared driveway with the developed property to the west. The site plan identifies a 40-foot wide ingress/egress easement centered on the common side lot line. The drive also aligns properly with the drive across Grand River.
6. **Loading.** Given the size of the proposed building, Section 14.08.08 requires 1 loading space. Such spaces are to contain 500 square feet of area and be located in a rear or side yard not directly visible to a public street.

The revised submittal notes that “all deliveries will be by UPS or similar vehicles at the main entrance of the building. Therefore no loading zone has been provided.” There appears to be adequate room for a small delivery truck to temporarily park near the main entrance adjacent to the landscape islands without disrupting traffic. The Planning Commission has discretion to modify the 500 square foot size requirement as indicated in Section 14.08.06.

7. **Landscaping.** The following table is a summary of the landscaping required by Section 12.02:

| Location | Requirements | Proposed | Comments |
|--------------------------|---|---|--|
| Front yard greenbelt | 6 canopy trees 20' width | 6 canopy trees 35-foot width | Requirements met |
| Detention pond | 12 canopy OR evergreen trees 120 shrubs | 12 trees 120 shrubs | Requirements met |
| Parking lot | 6 canopy trees 550 s.f. of landscaped area | 6 canopy trees 635 s.f. of landscaped area | Requirements met |
| Buffer Zone “B” (rear) | 7 canopy trees 7 evergreen trees 27 shrubs 6' wall OR 3' berm 20' width | 34 existing evergreen trees 22' width | PC may allow preservation of existing trees in lieu of new plantings |
| Buffer Zone “C” (E side) | 30 trees OR 118 shrubs OR combination thereof 10' width | 11 trees 78 shrubs 11' width (minimum) | Landscaping provided is above minimum requirement |
| Buffer Zone “C” (W side) | 32 trees OR 128 shrubs OR combination thereof 10' width | 21 trees 48 shrubs 15' width (minimum) | Landscaping provided is above minimum requirement |

There are two minor discrepancies between the landscape plan and table on Sheet C5. Specifically, the table notes 10 Red Sunset Maple, which are accounted for; however, there appears to be an errant label on the westerly parking lot island for an additional 3 trees. Additionally, the 14 Aurea Juniper label appears to be hidden behind the water main label on the same landscape island.

8. **Waste Receptacle and Enclosure.** The site plan identifies a waste receptacle and enclosure on the east side of the site. The proposed placement is essentially centered on the two buildings, which will allow for convenient use of a common dumpster area in the future.

Sheet C10 provides details including the required concrete base pad and masonry enclosure.

9. **Exterior Lighting.** Sheet C6 proposes 4 light poles in the parking lot and 7 bollards along the south side of the building. Pole height and light intensity readings comply with Section 12.03. Sheet C11 includes a fixture detail, which notes the use of downward directed, cut off fixtures, as required.
10. **Signs.** A monument sign is proposed to be incorporated into a brick wall extending from the west façade. The placement of the monument sign is indicated on the architectural plans as extending 22 feet from the edge of the building. This placement results in a setback of approximately 20 feet, but this should be shown on the site plan with the setback noted. Materials noted are consistent with those used for the building and its dimensions comply with the Ordinance.

A wall sign is also proposed for the west elevation. As noted in the table below, both signs comply with the standards of Article 16:

| Type of Sign | Requirements | Proposed |
|---------------|--|---|
| Wall Sign | Area – 10% of front facade | 6% |
| Monument Sign | Max. Area – 72 sq. ft. Max. Height – 6 ft. Min. Setback – 10 ft. | Area – 28 sq. ft. Height – 6 ft. Setback – approx. 20 ft. |

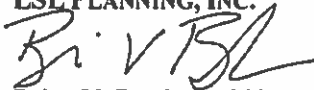
If approved, the applicant will need to obtain a sign permit prior to construction.

11. **Impact Assessment.** The submittal includes a revised Impact Assessment (dated 5/21/14), which notes that the proposed project is not expected to adversely impact natural features, public services/utilities, surrounding land uses or traffic.

Should you have any questions concerning this matter, please do not hesitate to contact our office. I can be reached by phone at (248) 586-0505, or via e-mail at borden@lslplanning.com.

Sincerely,

LSL PLANNING, INC.



Brian V. Borden, AICP
Senior Planner



May 30, 2014

Mr. Mike Archinal
Genoa Township
2911 Dorr Road
Brighton, MI 48116

**Re: Lipkin Medical Building
Site Plan Review #2**

Dear Mr. Archinal:

We have reviewed the updated site plan documents from Boss Engineering Inc. dated May 21, 2014. The plans were revised to address our comments in our initial review. There are several items remaining to be addressed which we have noted below.

IMPACT ASSESSMENT

1. *The following issue was not addressed through revision or note of acceptance by the Township.* Section G – Genoa Township has recently updated their Commercial REU evaluation on May 7, 2014, and the category “Medical Office Building” is no longer listed. The new appropriate category this development would fall under is “Doctor’s Offices”, and is measured at 0.6 REU/1,000 sq. ft.

UTILITY PLAN

1. The developer has indicated that there will be no fire suppression system in either building, only 2-inch water service connections. Please label the size of the future water main beyond the proposed 6" cap. As the minimum diameter for a public main is 8-inches, it is recommended to install an 8-inch by 6-inch tee at the hydrant. If a 2-inch service is the only piping planned for building 2, then a plug could be installed with a 2-inch threaded opening for the future 2-inch shutoff valve. This would eliminate the need for a 6-inch gate valve.

RETENTION AND HYDRAULICS PLAN

1. Indicate if roof runoff for proposed building 2 will be directed to one of the catch basins, or directly to the proposed forebay.

Mr. Mike Archinal
Lipkin Medical Building – Site Plan Review #2
May 30, 2014
Page 2


WATER MAIN PROFILE

1. The proposed 8-inch gate valve and box have been moved several feet off the tapping sleeve to place the valve box outside the sidewalk. The tapping sleeve and valve is a unit and as such cannot be separated. The valve box and valve need to be correctly shown adjacent to the main being tapped.

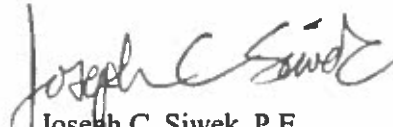
The petitioner should provide the necessary clarification and updated information above. Given the minor nature of the comments we suggest the plans be revised prior to being submitted to the Board for final approval.

Please call if you have any questions.

Sincerely,



Gary J. Markstrom, P.E.
Unit Vice President



Joseph C. Siwek, P.E.
Project Engineer

copy: Boss Engineering



BRIGHTON AREA FIRE AUTHORITY

615 W. Grand River Ave.
Brighton, MI 48116
o: 810-229-6640 f: 810-229-1619

June 2, 2014

Kelly VanMarter
Genoa Township
2911 Dorr Road
Brighton, MI 48116

RE: Lipkin Medical Building
Grand River – E. of Kellogg
Site Plan Review – Phase I

Dear Kelly:

The Brighton Area Fire Department has reviewed the above mentioned site plan. The plans were received for review on May 1, 2014 and the drawings are dated April 30, 2014. The project is based on a new 8,000 square foot building (business use). The plan review is based on the requirements of the International Fire Code (IFC) 2012 edition.

This submittal is recommended for approval with the following items being corrected.

1. Future project submittals shall include the address and street name of the project in the title block. **No address assigned as of review.**
IFC 105.4.2
2. The building shall include the building address on the building. The address shall be a **minimum of 6"** high letters of contrasting colors and be clearly visible from the street. The location and size shall be verified prior to installation and field verified.
IFC 505.1
3. Access around building and parking lot shall provide emergency vehicles with a turning radius up to 50' front of curb. This submittal appears to be deficient of this requirement.
(COMPLETE)
IFC 503.2.4

Additional comments will be given during the building plan review process (specific to the building plans and occupancy). If you have any questions about the comments on this plan review please contact me at 810-229-6640.

Cordially,

A handwritten signature in black ink, appearing to read "R. Boisvert".

Rick Boisvert
Captain – Fire Inspector

GENOA TOWNSHIP
MAY 23 2014

**IMPACT ASSESSMENT
FOR
SITE PLAN PETITION
"LIPKIN MEDICAL OFFICE BUILDING"
GENOA TOWNSHIP, LIVINGSTON COUNTY
MICHIGAN**

Prepared for:

**DR. HOWARD LIPKIN
3172 INTERLAKEN STREET
WEST BLOOMFIELD, MI 48323
(248) 680-9900**

Prepared by:

**BOSS ENGINEERING COMPANY
3121 E. GRAND RIVER
HOWELL, MI 48843
(517) 546-4836**

May 21, 2014

13-293EIA

INTRODUCTION

The purpose of this Impact Assessment (IA) report is to show the effect that this proposed development may have on various factors in the general vicinity of the project. The format used for presentation of this report conforms to the *Submittal Requirements For Impact Assessment* guidelines in accordance with Section 18.07 of the published Zoning Ordinance for Genoa Township, Livingston County, Michigan.

DISCUSSION ITEMS

A. Name(s) and address(es) of person(s) responsible for preparation of the Impact assessment and a brief statement of their qualifications.

Prepared By :
BOSS ENGINEERING COMPANY
Civil Engineers, Land Surveyors, Landscape Architects and Planners
3121 E. Grand River
Howell, MI 48843
(517) 546-4836

Prepared For :
Dr. Howard Lipkin
3172 Interlaken Street
West Bloomfield, MI 48323
(248) 680-9900

B. Map(s) and written description / analysis of the project site including all existing structures, manmade facilities, and natural features. The analysis shall also include information for areas within 10 feet of the property. An aerial photograph or drawing may be used to delineate these areas.

The site is located on the south side of Grand River Avenue, approximately 900 feet east of the Kellogg Road intersection. The property has 202 feet of frontage along Grand River, the entire width of the site. Immediately west of the site is office use, east is general commercial use and to the south is residential. To the north, on the opposite side of Grand River Avenue, is a new dental office currently under construction. The subject property is currently undeveloped, and zoned Neighborhood Services District (NSD).

C. Impact on natural features: A written description of the environmental characteristics of the site prior to development and following development, i.e., topography, soils, wildlife, woodlands, mature trees (eight inch caliper or greater), wetlands, drainage, lakes, streams, creeks or ponds. Documentation by a qualified wetland specialist shall be required wherever the Township determines that there is a potential regulated wetland. Reduced copies of the Existing Conditions Map(s) or aerial photographs may accompany written material.

The total site area is 3.03 acres. There are 0.23 acres of right-of-way for Grand River Avenue leaving a total of 2.80 acres of buildable space. There are no wetlands on the property. The site gradually slopes north towards Grand River Avenue at approximately 0.3%. Most of the trees are located on the southern 1/3 of the site. The remainder of the site is open area with about 5 sporadic trees. Most of the trees are box elder and American elm. Most of the trees on the site will need to be removed for the placement of the proposed retention basin, forebay and medical buildings. A row of 8 to 12 inch pines along the south property line will remain to provide an evergreen buffer to the residence to the south. The USDA Soil Conservation Service soil classification for the site is Miami-Loam 6-12% slopes.

D. Impact on storm water management: Description of measures to control soil erosion and sedimentation during grading and construction operations and until a permanent ground cover is established. Recommendations for such measures may be obtained from County Soil Conservation Service.

Surface runoff during periods of construction will be controlled by proper methods set forth by the Livingston County Drain Commissioner, including silt fence, pea stone filters, Inlet protection devices, and seed and mulch. A meeting was held with the Livingston County Drain Commissioner to address stormwater management. Their primary recommendation is to maintain the existing drainage patterns as closely as possible.

At the time of construction, there may be some temporary dust, noise, vibration and smoke, but these conditions will be of relatively short duration and shall be controlled by applying appropriate procedures to minimize the effects, such as watering if necessary for dust control.

The Site Plan documents show the proposed locations of all site improvements along with detailed soil erosion control information. The plans will be reviewed by the Livingston County Drain Commissioner's office for compliance with their regulations prior to issuance of a Soil Erosion Control permit.

E. Impact on surrounding land use: Description of the types of proposed uses and other man made facilities, including any project phasing, and an indication of how the proposed use conforms or conflicts with existing and potential development patterns. A description shall be provided of any increases of light, noise or air pollution which could negatively impact adjacent properties.

In two phases, the applicant is planning on constructing two 8,000 square foot medical office buildings, totaling 16,000 square feet. Phase I includes Building #1 closest to Grand River Avenue, required parking, pedestrian circulation and site access. Phase I also includes construction of the retention and forebay storm water management system, sized for the final built out of the overall site. Phase II will be constructed at a later date, which includes the Building #2, and final build out of the required parking and pedestrian walkways.

With the proposed use being office, most of the activity on the property would be weekdays 8 AM to 5 PM. Unlike a commercial use, there would be limited evening or weekend traffic.

The increase in light, noise or air pollution would be far less than what is typically associated with a commercial development. Developing a single small office building on the property will have minimal impact on surrounding properties.

F. Impact on public facilities and services: Description of number of expected residents, employees, visitors, or patrons, and the anticipated impact on public schools, police protection and fire protection.
Letters from the appropriate agencies may be provided, as appropriate.

There will be very little impact on residents to the south of the site, as there will be a 22 foot wide undisturbed evergreen buffer and a new 100 foot wide green space retention basin, separated by a restrictive fence. The anticipated daily occupancy of 80 employees, visitors, and patients will have very little negative impact to nearby properties, but may even help the neighboring businesses with additional subsidiary patronage.

There is no expected impact on Brighton Area Schools and very minimal impact on the police and fire departments.

G. Impact on public utilities: Description of the method to be used to service the development with water and sanitary sewer facilities, the method to be used to control drainage on the site and from the site, including runoff control during periods of construction. For sites service with sanitary sewer, calculations for pre- and post development flows shall be provided in equivalents to a single family home. Where septic systems are proposed, documentation or permits from the Livingston County Health Department shall be provided.

The development will be served by both public water and sanitary sewer, both located within the Grand River Avenue right-of-way. The public water is provided by MHOG Sewer and Water Authority, where the sanitary sewer collection is provided by the G-O Sewer Authority. Both utilities are serviced from the west of the site.

The pre-development sanitary flow from this site is zero. Post-development flows based on MHOG sewer standards for a medical office building is equivalent to 9 REU's.

Medical Office Building = $1.0 + 0.5/\text{exam room} \times (16 \text{ exam rooms}) = 9 \text{ REU's}$

With regards to storm water management, the project will be required to meet all local, county and state storm water and erosion control requirements. All of the required information is included in the Site Plan documents. Most storm water runoff will be remain on site and directed to the proposed forebay and retention basin at the rear of the site.

H. Storage or handling of any hazardous materials: Description of any hazardous substances expected to be used, stored or disposed of on the site. The information shall describe the type of materials, location within the site and method of containment. Documentation of compliance with federal and state requirements, and a Pollution Incident Prevention Plan (PIPP) shall be submitted, as appropriate.

There will be no hazardous materials used or disposed of on this site. Gas cans, striping paint, etc.

i. impact on traffic and pedestrians: A description of the traffic volumes to be generated based on national reference documents, such as the most recent edition of the Institute of Transportation Engineers Trip Generation Manual, other published studies or actual counts of similar uses in Michigan.

According to the Institute of Transportation Engineers Trip Generation 6th addition, the number of trips generated by this development would be an average of 28 trips per hour (3.46 trips per unit per 1,000sf) trips per hour during the AM peak hours, and 31 trips per hour during the PM peak hours. This is based on a Medical-Dental Office Building.

J. A detailed traffic impact study shall be submitted for any site over ten (10) acres in size which would be expected to generate 100 directional vehicle trips (i.e. 100 inbound or 100 outbound trips) during the peak hour of traffic of the generator or on the adjacent streets.

The anticipated number of directional vehicle trips during the peak hour of traffic is 31. Therefore a detailed traffic impact study is not necessary.

K. Special Provisions: General description of any deed restrictions, protective covenants, master deed or association bylaws.

None at this time.

L. A list of all sources shall be provided.

Genoa Township's *Submittal Requirements For Impact Assessment*

Genoa Township Zoning Ordinances

Soil Survey of Livingston County, Michigan, U.S.D.A. Soil Conservation Service

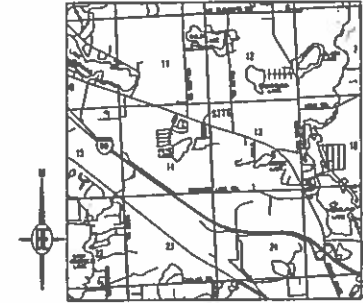
National Wetland Inventory Plan, United States Department of the Interior, Fish and Wildlife Service

Trip Generation manual, 6th edition, Institute of Transportation Engineers



SITE PLAN FOR LIPKIN MEDICAL OFFICE BUILDING

PART OF N.E. 1/4, SEC. 14, T.2N., R.5E.
GENOA TOWNSHIP, LIVINGSTON COUNTY, MI



LOCATION MAP
NO SCALE

PROPERTY DESCRIPTION:

LEGAL DESCRIPTION PER SELECT TITLE COMPANY (AGENT FOR NORTH AMERICAN TITLE INSURANCE COMPANY), COMMITMENT NO. 21148 REVISION 1, WITH AN EFFECTIVE DATE OF OCTOBER 2, 2012 @ 3:02 PM

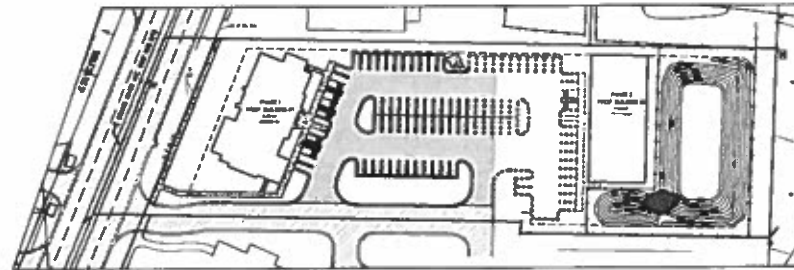
Land situated in the Township of Genoa, County of Livingston, State of Michigan is described as follows:

PARCELS:
Commencing at the East 1/4 corner of Section 14, T.2N, R.5E, Genoa Township, Livingston County, Michigan; thence North 82 degrees 26'01" East 876.38 feet (876.38 feet reserved) along the East line of said section and the continuation of Plaintiff's: thence North 87 degrees 41'30" East 816.14 feet along the North line of Grand Beach No. 2, according to the plat thereof as reported in Liber 115 of Plans, pages 8 and 14, Livingston County Records for a Place of Beginning; thence continuing North 87 degrees 41'30" East 300.88 feet along said North line; thence North 01 degree 18'47" East 283.88 feet; thence South 87 degrees 41'30" East 12.80 feet; thence North 01 degree 18'47" East 422.88 feet; thence South 87 degrees 41'30" East 300.20 feet along the continuation of Grand River Avenue; thence South 01 degree 18'47" East 648.83 feet to the Place of Beginning, Being a part of the Northwest 1/4 of Section 14, T.2N, R.5E, Genoa Township, Livingston County, Michigan.

TOTAL SITE AREA IS 3.63 ACRES, WHEREBY 0.23 ACRES IS WITHIN THE GRAND RIVER AVENUE RIGHT-OF-WAY AND 2.80 ACRES IS BUILDABLE SPACE.

CONSTRUCTION NOTES

1. THE CONTRACTOR SHALL COMPLY WITH THE FOLLOWING NOTES AND ANY OTHER NOTES WHICH SHALL BE CONSIDERED NECESSARY TO THE CONTRACT.
2. THE CONTRACTOR SHALL HOLD HARMLESS THE DESIGN PROFESSIONAL, MUNICIPALITY, COUNTY, STATE AND ALL OF ITS SUB CONSULTANTS, PUBLIC AND PRIVATE UTILITY COMPANIES AND LANDOWNERS FOR DAMAGES TO INDIVIDUALS AND PROPERTY, REAL OR OTHERWISE, DUE TO THE OPERATIONS OF THE CONTRACTOR AND/OR THEIR SUBCONTRACTORS.
3. DO NOT SCALE THESE DIMENSIONS AS IT IS A REPRODUCTION AND SUBJECT TO DISCREPANCY.
4. A GRADING PERMIT FOR SOIL EROSION AND SEDIMENTATION CONTROL SHALL BE OBTAINED FROM THE SOIL CONSERVATION AGENCY PRIOR TO THE START OF CONSTRUCTION.
5. IF ANY PROBLEMS OCCUR DURING CONSTRUCTION CONTROL, THEY WILL BE PROVIDED BY AN APPLICATION OF WATER UTILITY BY SPRINKLER OR TANK TRUCK.
6. ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH LOCAL, MUNICIPAL, STATE AND FEDERAL SPECIFICATIONS.
7. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED TOWNSHIP, COUNTY AND STATE OF MICHIGAN PERMITS.
8. FINISHED SURFACES, INCLUDING SIGNS, LIGHTING AND OTHER STRUCTURES SHALL BE INSTALLED IN A SAFE, ATTRACTIVE CONDITION AS ORIGINALLY DESIGNED AND CONSTRUCTED.
9. ALL BARRIERS AND FENCES SHALL BE CONSTRUCTED TO MEET ALL LOCAL, STATE AND A.C.A. REQUIREMENTS.
10. ANY EXISTING UTILITIES AND ACTUAL FIELD CONDITIONS SHALL BE REVEALED TO THE DESIGN PROFESSIONAL PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFICATION OF ALL UTILITIES AND CONDITIONS AND COMMENCE WORK HEREON BEFORE BEGINNING CONSTRUCTION.
11. THE CONTRACTOR SHALL CONTACT ALL OWNERS OF EXISTING UTILITIES AND RIGHTS-OF-WAY, PUBLIC OR PRIVATE, PRIOR TO THE START OF CONSTRUCTION.
12. THE CONTRACTOR SHALL COMPLY WITH ALL ORDINANCES TO DETERMINE THE LOCATION OF EXISTING LANDSCAPING, IRRIGATION LINES, AND PRIVATE UTILITY LINES.
13. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO EXISTING LANDSCAPING, IRRIGATION LINES, AND PRIVATE UTILITY LINES.
14. THE CONTRACTOR SHALL REMOVE ALL TRASH AND DEBRIS FROM THE SITE UPON COMPLETION OF THE PROJECT.
15. THE CONTRACTOR SHALL MAINTAIN THE SITE IN A MANNER SO THAT WORKERS AND PUBLIC SHALL BE PROTECTED FROM INJURY AND ADJACENT PROPERTY PROTECTED FROM DAMAGE.
16. THE CONTRACTOR SHALL KEEP THE AREA OUTSIDE THE CONSTRUCTION LIMITS BROOM CLEAN AT ALL TIMES.
17. THE CONTRACTOR SHALL CALL 811 TO LOCATE ALL UTILITIES PRIOR TO THE START OF CONSTRUCTION.
18. ALL EXISTING WATER MAINS OR OTHER PUBLIC UTILITIES SHALL BE PROTECTED AND COMPACTED WITH SAND ABOUT CLASS B.
19. ALL EXISTING REPLACEMENT AND OTHER WORKS COVERED BY THESE PLANS SHALL BE DONE IN ACCORDANCE WITH THE REQUIREMENTS OF THE TOWNSHIP, INCLUDING THE LATEST MICHIGAN DEPARTMENTS OF TRANSPORTATION AND CITY SPECIFICATIONS FOR HIGHWAY CONSTRUCTION.
20. THE CONTRACTOR IS RESPONSIBLE FOR ALL DAMAGE TO EXISTING UTILITIES.
21. NO ADDITIONAL COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR ANY DELAY OR ACCIDENTS DUE TO THE MATERIAL SHORTAGES OR RESPONSIBLE DELAYS DUE TO THE OPERATIONS OF SUCH OTHER PARTIES BEING INDICATED OR SHOWN ON THE PLANS OR IN THE SPECIFICATION OR FOR ANY REASONABLE DELAYS IN CONSTRUCTION DUE TO THE UNCOVERING OR EXISTING UTILITIES THAT MAY OR MAY NOT BE SHOWN ON THE PLANS.
22. DURING THE CONSTRUCTION OPERATIONS, THE CONTRACTOR SHALL NOT PERFORM WORK BY PRIVATE AGREEMENT WITH PROPERTY OWNERS ADJACENT TO THE PROJECT.
23. IF ANY EXISTING UTILITIES ARE LOCATED WITHIN THE CONSTRUCTION LIMITS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY NECESSARY PROTECTION MEASURES THAT MAY BE REQUIRED BY THE UTILITIES.
24. NO TREES ARE TO BE REMOVED UNLESS AUTHORIZED BY THE FIELD BY THE ENGINEER.
25. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO THE PROPERTY BY THE CONSTRUCTION LIMITS INCLUDING BUT NOT LIMITED TO EXISTING TREES, LAWNS, TREES AND SHRUBBERY.
26. ALL AREAS OUTSIDE THE CONSTRUCTION LIMITS BEYOND THE NORMAL CONSTRUCTION LIMITS OF THE PROJECT SHALL BE PROTECTED OR REVEALED AS SPECIFIED OR DIRECTED BY THE ENGINEER.
27. ALL EXISTING STORM AND SEWER COLLECTION SYSTEMS SHALL BE REMOVED AND THE HOLE BACKFILLED WITH SUITABLE MATERIAL, WHERE CHANGE CONNECTIONS ARE REQUIRED THE SUBGRADE SHALL BE CUT TO CONFORM TO THE ORDINANCES AS SHOWN IN THE PLANS.
28. TRAFFIC SHALL BE MAINTAINED DURING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL SIGNS AND TRAFFIC CONTROL DEVICES. PLANS PERSONS SHALL BE PROVIDED BY THE CONTRACTOR IF DETERMINED NECESSARY BY THE ENGINEER. ALL SIGNS SHALL CONFORM TO THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES AT NO COST TO THE TOWNSHIP. NO MORE SHALL BE DONE UNLESS THE APPROPRIATE TRAFFIC CONTROL DEVICES ARE IN PLACE.
29. ALL EXISTING UTILITIES AND PUBLIC UTILITIES SHALL BE REVEALED FROM THE SITE AT NO ADDITIONAL COST AND PROTECTED OR IN ACCORDANCE WITH LOCAL, STATE AND FEDERAL REGULATIONS.
30. AFTER REMOVAL OF TOPSOIL, THE SUBGRADE SHALL BE COMPACTED TO 98% OF UNIT WEIGHT.
31. ALL GRADING IN THE PLANS SHALL BE DONE AS PART OF THIS CONTRACT. ALL SUPERSTORABLE MATERIAL SHALL BE REMOVED FROM THE SUBGRADE PRIOR TO COMPACTING.
32. NO SLOPES SHALL BE DONE WITHIN DISTANCE 8' WITHOUT APPROVAL OF THE ENGINEER.
33. ANY EXISTING IMPROVEMENTS SUCH AS IMPROVABLE DRIVEWAYS, ETC. SHALL BE REVEALED TO THE PROPOSED GRADE AND SHALL BE CONSIDERED INCIDENTAL TO THE CONTRACT.
34. SOIL EROSION MEASURES SHALL BE INSTALLED BY THE CONTRACTOR UNLESS VEGETATION HAS BEEN RE-ESTABLISHED.
35. ALL PERMANENT SIGNS AND STRUCTURES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITION OF THE MICHIGAN UNIFORM MANUAL AND SHALL BE NECESSARY TO THE CONTRACT.



OVERALL SITE MAP
NO SCALE

| SHEET INDEX | |
|--------------------------------|---|
| SHEET NO. | DESCRIPTION |
| C1 | COVER SHEET |
| C2 | SITE PLAN |
| C3 | GRADING, DRAINAGE & SOIL EROSION CONTROL PLAN |
| C4 | UTILITY PLAN |
| C5 | LANDSCAPE PLAN |
| C6 | LIGHTING PLAN |
| C7 | RETENTION & HYDRAULICS PLAN |
| C8 | WATER MAIN PROFILE AND INTERIM GRADING PLAN |
| C9 | EXISTING CONDITIONS & DEMOLITION PLAN |
| C10 | CONSTRUCTION DETAILS |
| C11 | CONSTRUCTION DETAILS |
| C12 | MWDG SANITARY SEWER DETAILS |
| C13 | MWDG WATER MAIN DETAILS |
| DRAWINGS PREPARED BY ARCHITECT | |
| SOUTH (ENTRY) ELEVATION | |
| NORTH (GRAND RIVER) ELEVATION | |
| EAST AND WEST ELEVATIONS | |
| MAIN LEVEL FLOOR PLAN | |
| BUILDING RENDERING | |

LIPKIN MEDICAL OFFICE BUILDING

PREPARED FOR:

DR. HOWARD LIPKIN
3172 INTERLAKEN STREET
WEST BLOOMFIELD, MI 48323
PHONE: 810-220-4422

ARCHITECT:

DESROSIERS ARCHITECTS
36330 WOODWARD AVENUE, SUITE 100
BLOOMFIELD HILLS, MI 48304
PHONE: 248-642-7771

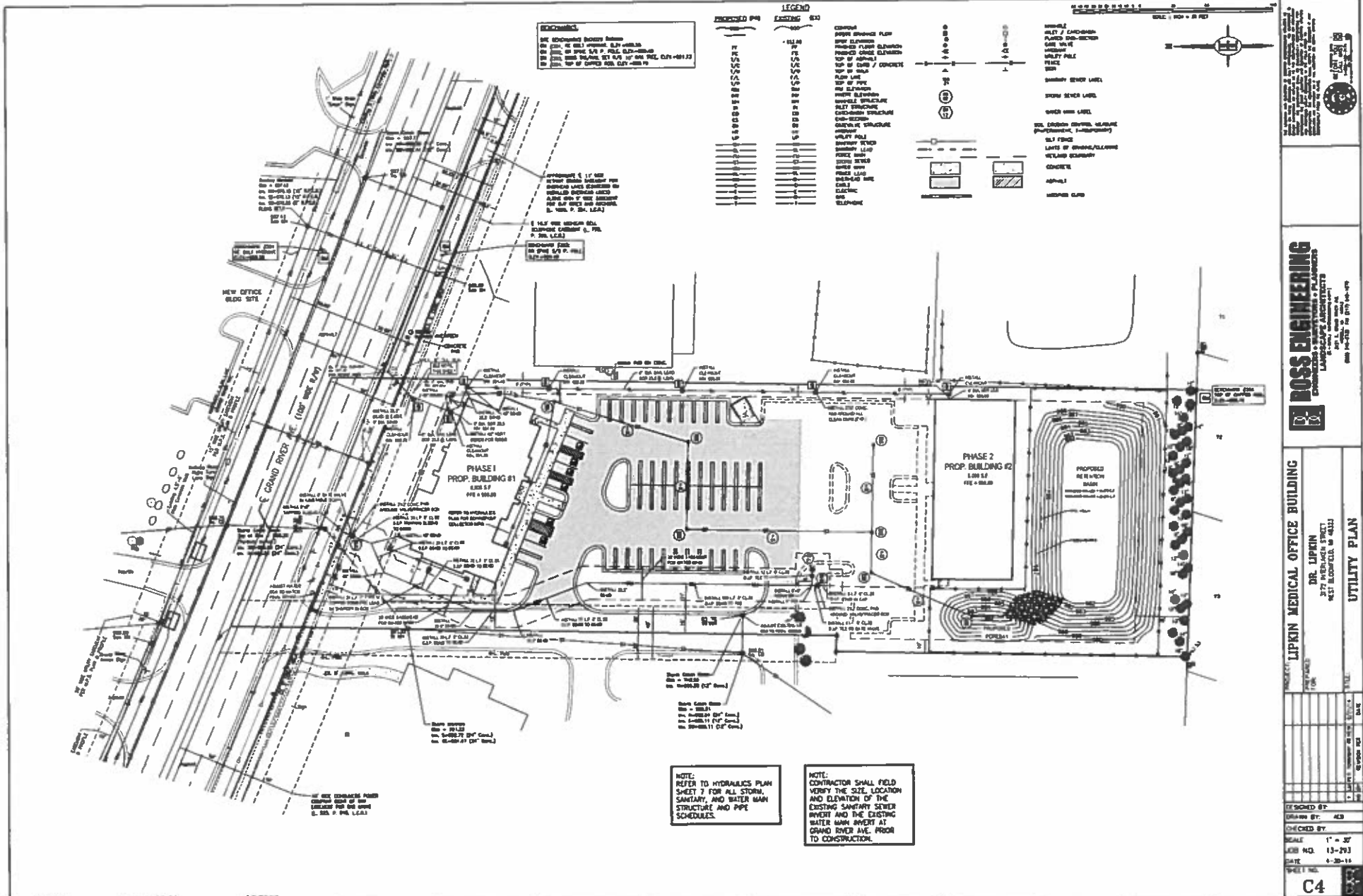
CIVIL ENGINEER/SITE PLANNER:

BOSS ENGINEERING
CONSULTING & SURVEYING & PLANNING
LANDSCAPE ARCHITECTS
8000 WOODRIDGE DRIVE
SOUTHFIELD, MI 48034
PHONE: 248-348-1111

INDEMNIFICATION STATEMENT

THE CONTRACTOR SHALL HOLD HARMLESS THE DESIGN PROFESSIONAL, MUNICIPALITY, COUNTY, STATE AND ALL OF ITS SUB CONSULTANTS, PUBLIC AND PRIVATE UTILITY COMPANIES, AND LANDOWNERS FOR DAMAGES TO INDIVIDUALS AND PROPERTY, REAL OR OTHERWISE, DUE TO THE OPERATIONS OF THE CONTRACTOR AND/OR THEIR SUBCONTRACTORS.

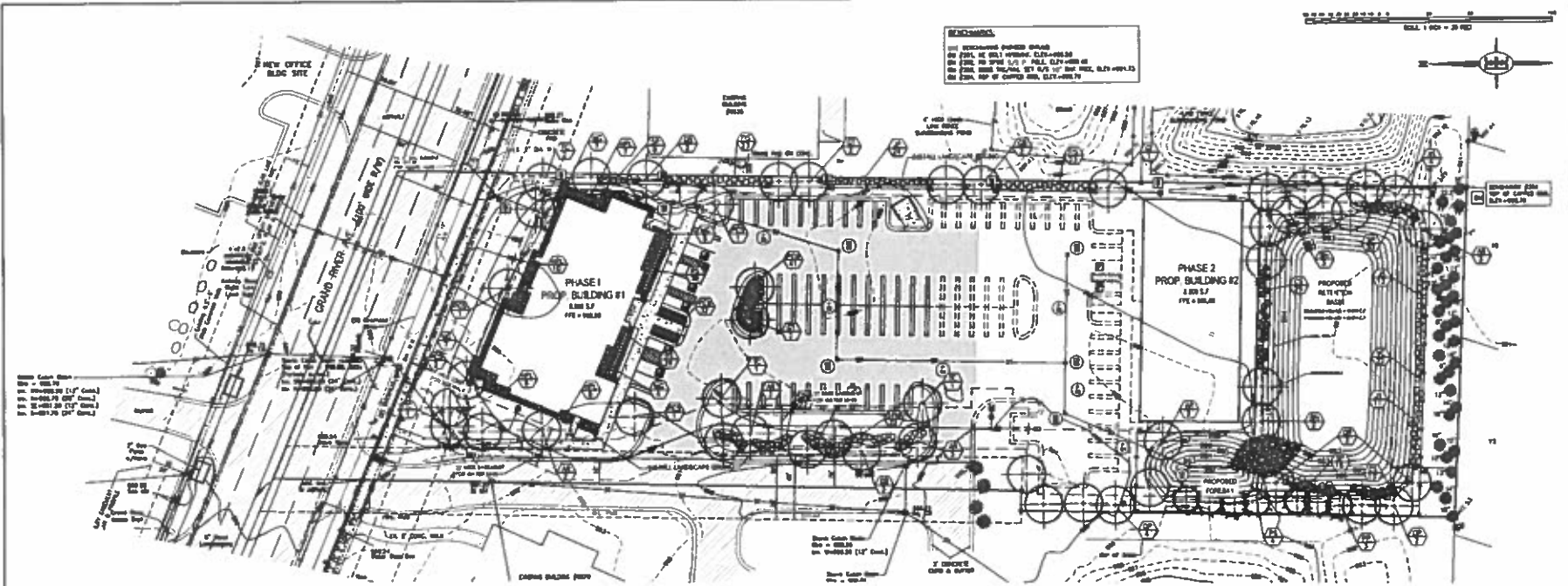
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|--------|--------------------------|----------------|
| | | 1 |
| 1 of 1 | FILE NUMBER: 2014-01-001 | DATE: 01/14/14 |
| 1 of 1 | DATE: 01/14/14 | TIME: 11:00 AM |



ROSS ENGINEERING
CONSULTING ENGINEERS
LANDSCAPE ARCHITECTS
1000 10TH AVENUE, SUITE 100
DENVER, COLORADO 80202
TEL: 303.733.1111
WWW.ROSS-ENR.COM

LIPKIN MEDICAL OFFICE BUILDING
DR. LIPKIN
2870 MICHIGAN STREET
WEST BLOOMFIELD, OH 44321
UTILITY PLAN

DESIGNED BY: []
DRAWN BY: AEB
CHECKED BY: []
SCALE: 1" = 30'
JOB NO. 13-293
DATE: 6-20-14
SHEET NO. C4



REVISIONS

| | |
|----|---|
| 01 | REVISIONS PERIOD 09/04 |
| 02 | PHASE 1, 2 & 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 |

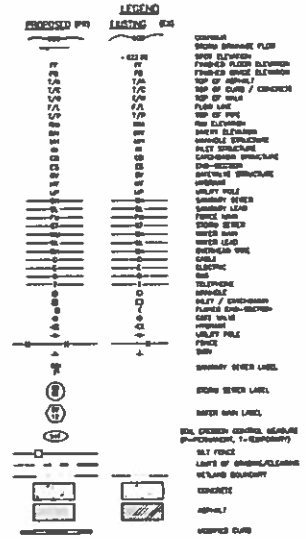


1/8\"/>

- LANDSCAPE REQUIREMENTS**
- STREET FRONTAGE**
 - REQUIRED: 4 TREES PER 100 LF OF FRONTAGE (20 LF / 10 - 15 TREES)
 - PROVIDED: 4 TREES
 - BUFFER ZONES**
 - ADJACENT TO ROADS
 - REQUIRED: 10 FEET WIDE, 1 TREE OR 4 SHRUBS PER 20 LF. (1 1/2 LF / 10 - 12 TREES)
 - PROVIDED: 10 FEET WIDE WITH 2 TREES AND 125 SHRUBS
 - ADJACENT TO RESIDENTIAL**
 - REQUIRED: 10 FEET WIDE, 1 CANOPY TREE, 1 1/2 WIDE SPREAD TREE AND 4 SHRUBS PER 20 LF. (20 LF / 10 - 12 CANOPY TREES)
 - PROVIDED: 10 FEET WIDE WITH 10 SHRUBS AND 25 SHRUBS
 - PARKING AREA LANDSCAPING**
 - REQUIRED: 1 CANOPY TREE AND 100 SF OF LANDSCAPED AREA PER 10 SPACES OR SPACES 10 - 15 SF.
 - PROVIDED: 4 TREES & 125 SF
 - DEVELOPMENT BACK LANDSCAPING**
 - REQUIRED: 1 TREE AND 10 SHRUBS PER 50 LF OF DRIVE PERimeter
 - DEVELOPMENT BACK: 100 LF = 12 TREES & 125 SHRUBS
 - PROPOSED: 12 TREES & 125 SHRUBS

PLANT LIST

| PLANT | QTY | SYMBOL | SCIENTIFIC NAME | COMMON NAME | SIZE | REMARKS |
|-------|-----|--------|------------------------|--------------------|-----------|---------|
| TREES | 4 | ▲ | Acacia saligna 'Lacey' | Lacey Super Wattle | 1 1/2\"/> | |



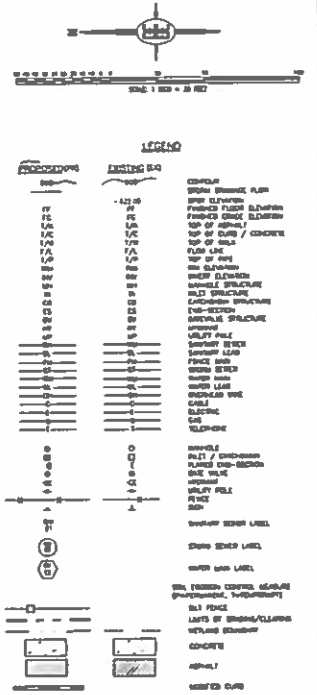
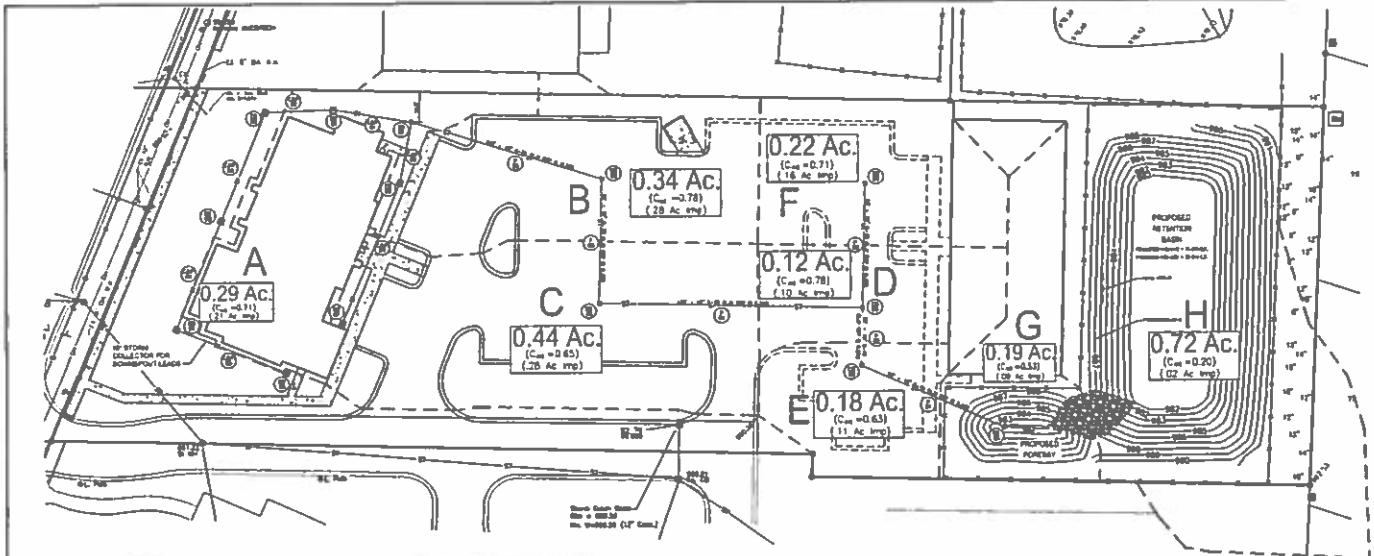
BOSS ENGINEERING
 CONSULTING ENGINEERS & ARCHITECTS
 1001 W. 10TH STREET, SUITE 200
 DENVER, CO 80202
 PHONE: (303) 733-4444
 FAX: (303) 733-4445
 WWW.BOSS-ENG.COM

LIPKIN MEDICAL OFFICE BUILDING

DR. LIPKIN
 3772 W. BELLAIR STREET
 WEST BLOOMFIELD, CO 80023

LANDSCAPE PLAN

DATE: 08/19/2014
 SHEET NO.: C5



UNWEIGHTED AVERAGE RUNOFF COEFFICIENT CALCULATION

| AREA (ACRES) | IMPERVIOUS FACTOR | PERMEABLE FACTOR | WEIGHTED FACTOR |
|--------------|-------------------|------------------|-----------------|
| 0.29 | 0.85 | 0.15 | 0.67 |
| 0.34 | 0.78 | 0.22 | 0.67 |
| 0.22 | 0.71 | 0.29 | 0.67 |
| 0.12 | 0.78 | 0.22 | 0.67 |
| 0.44 | 0.65 | 0.35 | 0.67 |
| 0.18 | 0.63 | 0.37 | 0.67 |
| 0.19 | 0.63 | 0.37 | 0.67 |
| 0.72 | 0.20 | 0.80 | 0.67 |
| TOTAL | | | 0.67 |

UNWEIGHTED AVERAGE RUNOFF COEFFICIENT CALCULATION

| AREA (ACRES) | IMPERVIOUS FACTOR | PERMEABLE FACTOR | WEIGHTED FACTOR |
|--------------|-------------------|------------------|-----------------|
| 0.29 | 0.85 | 0.15 | 0.67 |
| 0.34 | 0.78 | 0.22 | 0.67 |
| 0.22 | 0.71 | 0.29 | 0.67 |
| 0.12 | 0.78 | 0.22 | 0.67 |
| 0.44 | 0.65 | 0.35 | 0.67 |
| 0.18 | 0.63 | 0.37 | 0.67 |
| 0.19 | 0.63 | 0.37 | 0.67 |
| 0.72 | 0.20 | 0.80 | 0.67 |
| TOTAL | | | 0.67 |

STRUCTURE SCHEDULE

| NO. | DESCRIPTION | DATE | BY |
|-----|-------------------|----------|----|
| 1 | 18" DIA. CLEANOUT | 10/20/07 | MD |
| 2 | 18" DIA. CLEANOUT | 10/20/07 | MD |
| 3 | 18" DIA. CLEANOUT | 10/20/07 | MD |
| 4 | 18" DIA. CLEANOUT | 10/20/07 | MD |
| 5 | 18" DIA. CLEANOUT | 10/20/07 | MD |
| 6 | 18" DIA. CLEANOUT | 10/20/07 | MD |
| 7 | 18" DIA. CLEANOUT | 10/20/07 | MD |
| 8 | 18" DIA. CLEANOUT | 10/20/07 | MD |
| 9 | 18" DIA. CLEANOUT | 10/20/07 | MD |
| 10 | 18" DIA. CLEANOUT | 10/20/07 | MD |

STORM CLEANOUT SCHEDULE

| NO. | DESCRIPTION | DATE | BY |
|-----|-------------------|----------|----|
| 1 | 18" DIA. CLEANOUT | 10/20/07 | MD |
| 2 | 18" DIA. CLEANOUT | 10/20/07 | MD |
| 3 | 18" DIA. CLEANOUT | 10/20/07 | MD |
| 4 | 18" DIA. CLEANOUT | 10/20/07 | MD |
| 5 | 18" DIA. CLEANOUT | 10/20/07 | MD |
| 6 | 18" DIA. CLEANOUT | 10/20/07 | MD |
| 7 | 18" DIA. CLEANOUT | 10/20/07 | MD |
| 8 | 18" DIA. CLEANOUT | 10/20/07 | MD |
| 9 | 18" DIA. CLEANOUT | 10/20/07 | MD |
| 10 | 18" DIA. CLEANOUT | 10/20/07 | MD |

STORM PIPE SCHEDULE

| PIPE | LENGTH | SIZE | TYPE | SLOPE |
|------|--------|------|------------|-------|
| P1 | 82 | 18" | PCP C-75 M | 0.20% |
| P2 | 30 | 18" | PCP C-75 M | 0.20% |
| P3 | 66 | 12" | PCP C-75 M | 0.24% |
| P4 | 139 | 15" | PCP C-75 M | 0.24% |
| P5 | 66 | 12" | PCP C-75 M | 0.22% |
| P6 | 104 | 12" | PCP C-75 M | 0.22% |

CLEAN OUT COLLECTOR PIPE SCHEDULE

| PIPE | LENGTH | SIZE | TYPE | SLOPE |
|-------|--------|------|--------|-------|
| COP-1 | 41 | 10" | SOR 76 | 0.20% |
| COP-2 | 26 | 10" | SOR 76 | 1.00% |
| COP-3 | 82 | 18" | SOR 76 | 1.00% |
| COP-4 | 82 | 10" | SOR 76 | 1.00% |
| COP-5 | 82 | 10" | SOR 76 | 1.00% |
| COP-6 | 22 | 10" | SOR 76 | 1.00% |
| COP-7 | 80 | 18" | SOR 76 | 0.20% |

STORM SEWER DESIGN COMPUTATIONS

| NO. | AREA | PERCENT | COEFF | AREA | PERCENT | COEFF | AREA | PERCENT | COEFF | AREA | PERCENT | COEFF |
|------|------|---------|-------|------|---------|-------|------|---------|-------|------|---------|-------|
| 0.01 | 0.01 | 0.01 | 0.01 | 0.01 | 0.01 | 0.01 | 0.01 | 0.01 | 0.01 | 0.01 | 0.01 | 0.01 |
| 0.02 | 0.02 | 0.02 | 0.02 | 0.02 | 0.02 | 0.02 | 0.02 | 0.02 | 0.02 | 0.02 | 0.02 | 0.02 |
| 0.03 | 0.03 | 0.03 | 0.03 | 0.03 | 0.03 | 0.03 | 0.03 | 0.03 | 0.03 | 0.03 | 0.03 | 0.03 |
| 0.04 | 0.04 | 0.04 | 0.04 | 0.04 | 0.04 | 0.04 | 0.04 | 0.04 | 0.04 | 0.04 | 0.04 | 0.04 |
| 0.05 | 0.05 | 0.05 | 0.05 | 0.05 | 0.05 | 0.05 | 0.05 | 0.05 | 0.05 | 0.05 | 0.05 | 0.05 |

DATE

| DATE | DESCRIPTION |
|----------|--------------------|
| 10/20/07 | PRELIMINARY DESIGN |
| 10/20/07 | FINAL DESIGN |

NO. ELEV. UPPER END

| NO. | ELEV. UPPER END | ELEV. LOWER END | LENGTH | SLOPE |
|-----|-----------------|-----------------|--------|---------|
| 1 | 985.41 | 985.34 | 82 | 0.0084% |
| 2 | 985.34 | 985.27 | 30 | 0.0072% |
| 3 | 985.27 | 985.20 | 66 | 0.0073% |
| 4 | 985.20 | 985.13 | 139 | 0.0050% |
| 5 | 985.13 | 985.06 | 66 | 0.0071% |
| 6 | 985.06 | 984.99 | 104 | 0.0067% |

NO. ELEV. UPPER END

| NO. | ELEV. UPPER END | ELEV. LOWER END | LENGTH | SLOPE |
|-----|-----------------|-----------------|--------|---------|
| 1 | 985.41 | 985.34 | 82 | 0.0084% |
| 2 | 985.34 | 985.27 | 30 | 0.0072% |
| 3 | 985.27 | 985.20 | 66 | 0.0073% |
| 4 | 985.20 | 985.13 | 139 | 0.0050% |
| 5 | 985.13 | 985.06 | 66 | 0.0071% |
| 6 | 985.06 | 984.99 | 104 | 0.0067% |

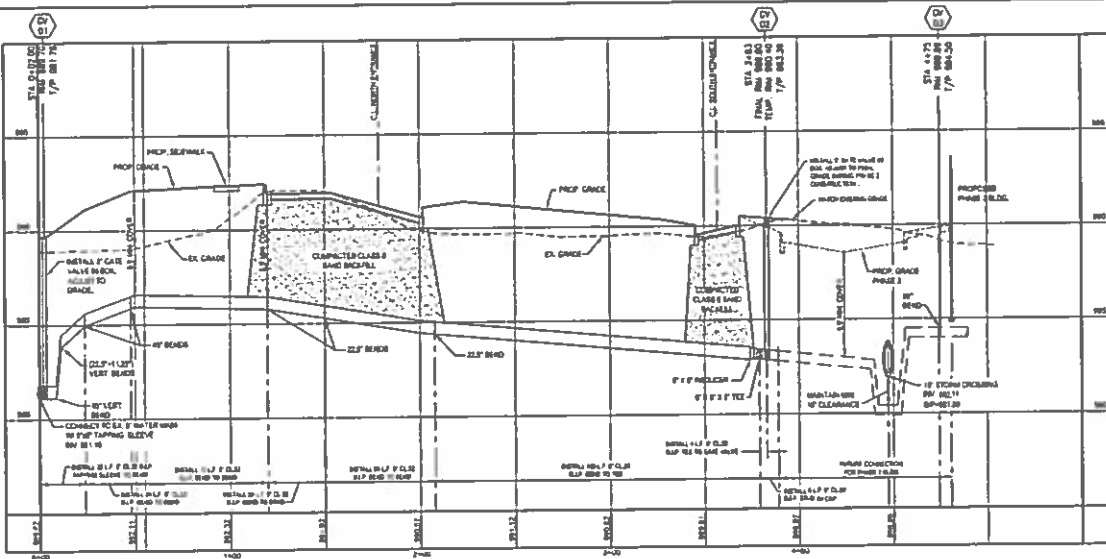
BOSS ENGINEERING
 CONSULTING ENGINEERS
 LANDSCAPE ARCHITECTS

DR. LIPKIN
 317 WENAMER STREET
 WEST BURLINGTON, VT 05401

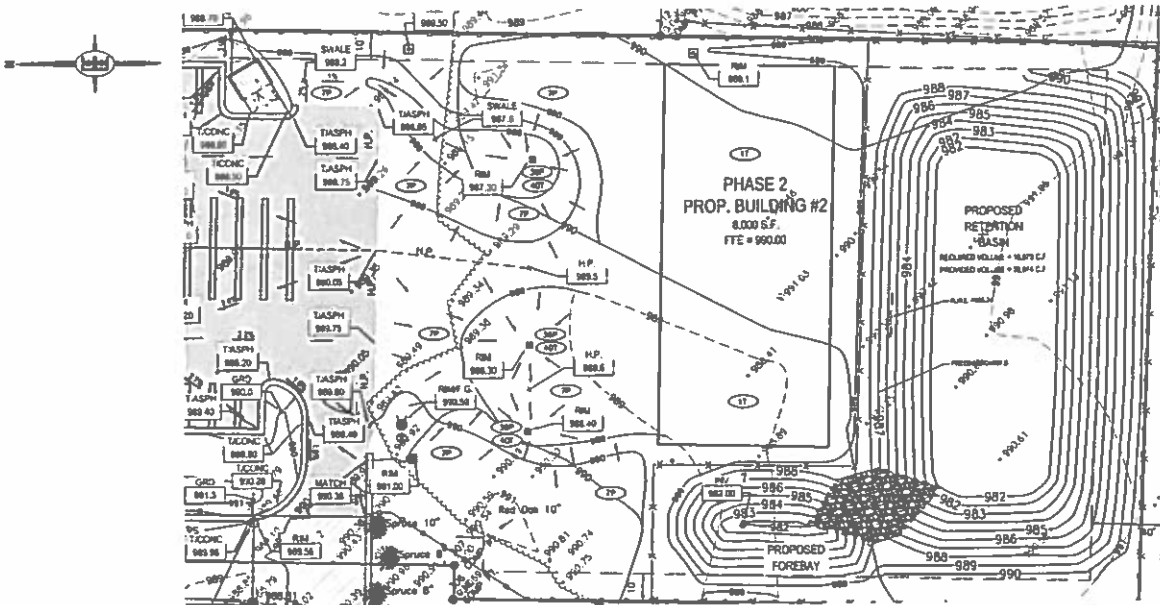
RETENTION & HYDRAULICS PLAN

DATE: 4-20-11

C7



WATER MAIN PROFILE
SCALE: 1" = 30'



INTERIM GRADING PLAN
SCALE: 1" = 20'

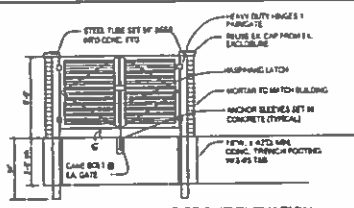


PROFESSIONAL ENGINEER
STATE OF MICHIGAN
EXPIRES 12/31/2015
NO. 087143

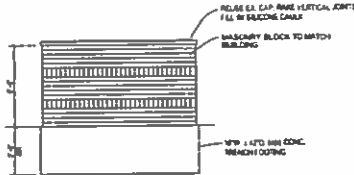
BOSS ENGINEERING
CORPORATION
LANDSCAPE ARCHITECTS
1000 W. WASHINGTON ST. SUITE 200
ANN ARBOR, MI 48106-1000
PH: 734-769-4900
WWW.BOSSENG.COM

PROJECT: LIPKIN MEDICAL OFFICE BUILDING
PREPARED BY: DR. LIPKIN
FOR: WEST MEDICAL, W 48333
DATE: 4-20-11

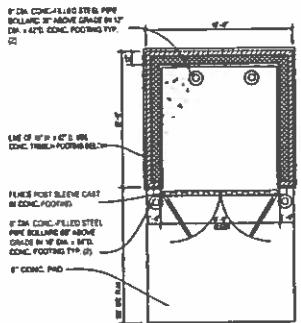
DESIGNED BY: LAB
CHECKED BY: LAB
SCALE: 1" = 30'
JOB NO: 13-293
DATE: 4-20-11
SHEET NO: C8



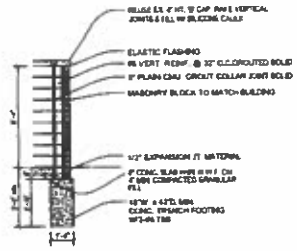
REFUSE ENCLOSURE FRONT ELEVATION
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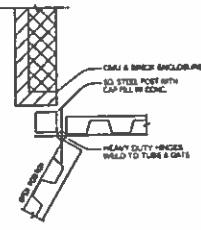
REFUSE ENCLOSURE REAR ELEVATION
NO SCALE



REFUSE ENCLOSURE PLAN
NO SCALE



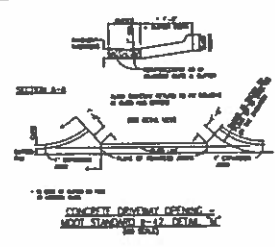
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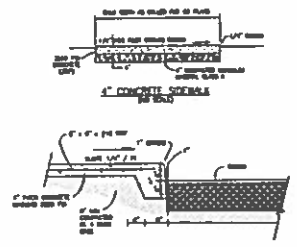
GATE POST DETAIL
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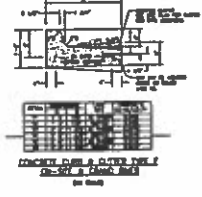
ASPHALT SECTION
NO SCALE



CONCRETE DRIVEWAY OPENING - MOST STANDARD - 1/2\"/>



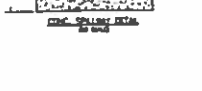
INTERNAL CONCRETE WALK / CURB DETAIL
NO SCALE



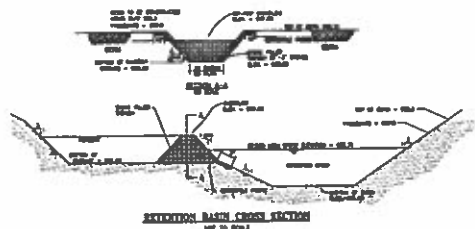
CONCRETE CURB & CURB TYPE F
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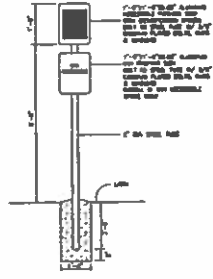
RECYCLED RUBBER
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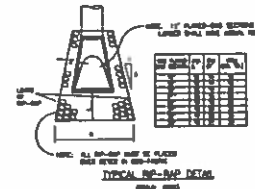
CONC. COLLARS DETAIL
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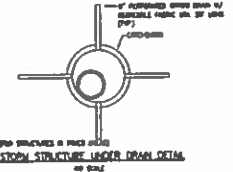
RETENTION BASIN CROSS SECTION
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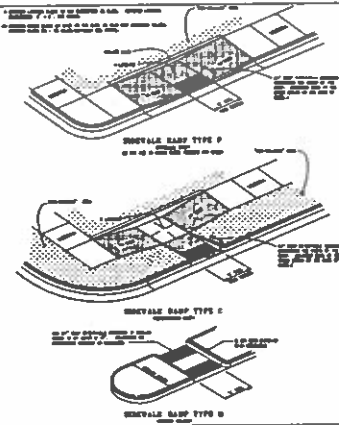
HANDICAP PARKING SIGN DETAIL
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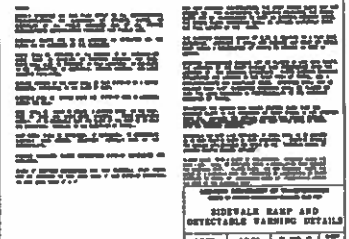
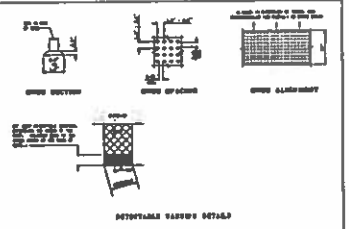
TYPICAL RAMP DETAIL
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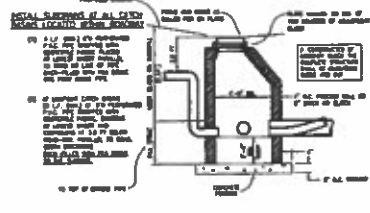
FIBER REINFORCED POLYMER UNDER DRAIN DETAIL
NO SCALE



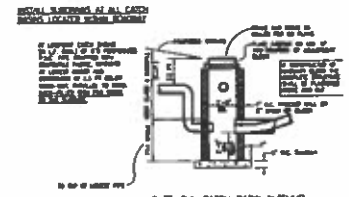
SIDEWALK RAMP AND DETECTABLE WARNING DETAILS



SEWER UNDER ROUGHED OR WITHIN INFLUENCE OF ROUGHED



1. FT. DIA. CATCH BASIN W/SAMP



2. FT. DIA. CATCH BASIN W/SAMP

PROJECT: LIPKIN MEDICAL OFFICE BUILDING
 DRAWN BY: IS
 CHECKED BY:
 SCALE: 1" = 30'
 JOB NO. 13-293
 DATE: 6-28-14
 SHEET NO. C10

ROSS ENGINEERING
 ENGINEERING ARCHITECTURE & PLANNING
 LABORATORY ASSOCIATES
 217 W. 14TH STREET
 ST. LOUIS, MO 63103
 PH: 314.241.1100
 FAX: 314.241.1101

PROJECT: LIPKIN MEDICAL OFFICE BUILDING
 DRAWN BY: DR. LIPKIN
 217 W. 14TH STREET
 ST. LOUIS, MO 63103
 CHECKED BY:
 SCALE:
 JOB NO. 13-293
 DATE:
 SHEET NO. C10

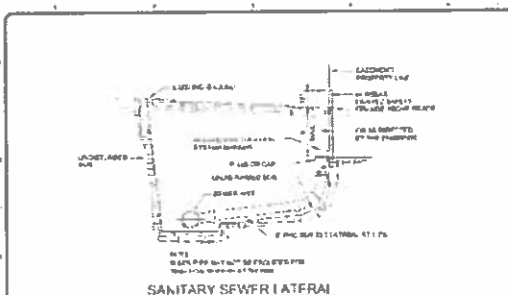
CONSTRUCTION NOTES & DETAILS
 C10

THIS SHEET IS A PART OF THE STANDARD SPECIFICATIONS FOR THE CONSTRUCTION OF SANITARY SEWER SYSTEMS, WHICH ARE PUBLISHED BY THE MISSOURI DEPARTMENT OF HIGHWAYS AND TRANSPORTATION, AND ARE AVAILABLE FOR PURCHASE FROM THE MISSOURI DEPARTMENT OF HIGHWAYS AND TRANSPORTATION, JEFFERSON CITY, MISSOURI.

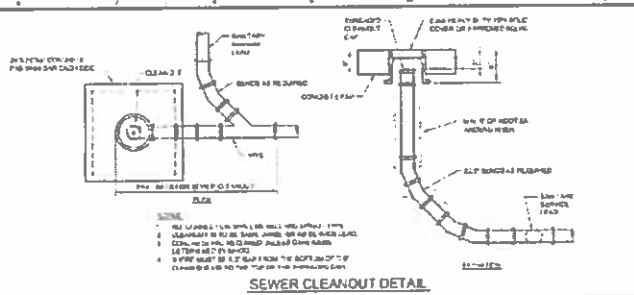
BOSS ENGINEERING
CONSULTANTS
LANDSCAPE ARCHITECTS
1000 N. GARDNER STREET
JEFFERSON CITY, MISSOURI 64101
PHONE: (816) 481-1111
FAX: (816) 481-1112
WWW.BOSSENGINEERING.COM

PROJECT: **LIPKIN MEDICAL OFFICE BUILDING**
PREPARED BY: **DR. LIPKIN**
3172 WILKINSON STREET
WEST BLOOMFIELD, OH 44091
DATE: 04/20/14
SHEET NO. 01 OF 02

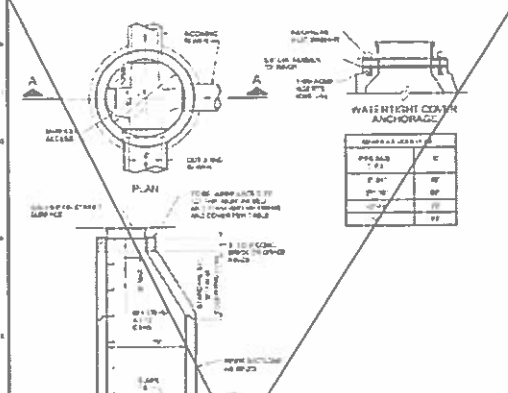
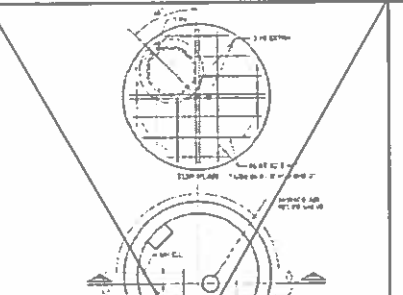
CHECKED BY: []
DATE: []
SCALE: 1" = 3'
JOB NO. 13-293
DATE: 4-20-14
SHEET NO. **C12**



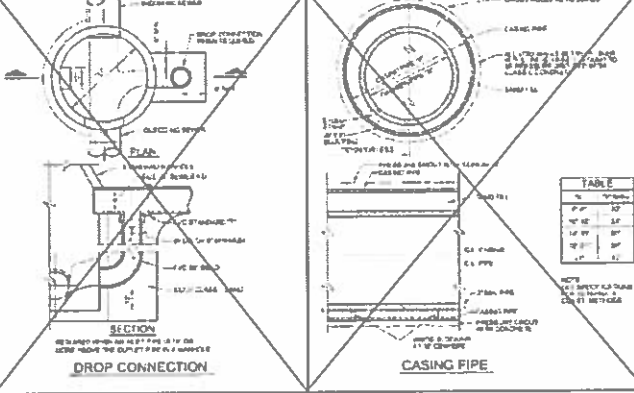
SANITARY SEWER LATERAL



SEWER CLEANOUT DETAIL

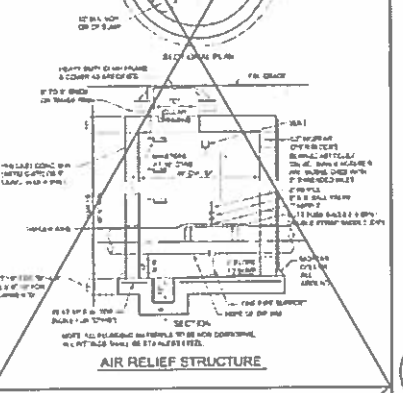


| PIPE SIZE | COVER SIZE |
|-----------|------------|
| 4" | 18" |
| 6" | 24" |
| 8" | 30" |
| 10" | 36" |
| 12" | 42" |

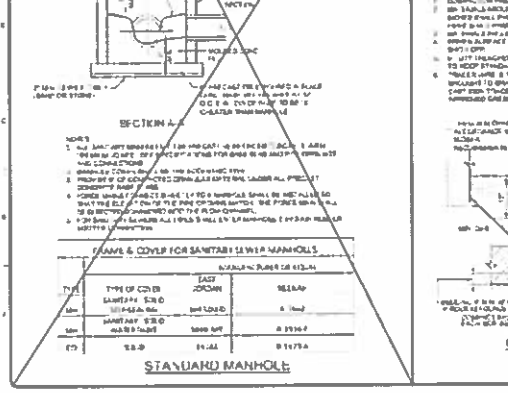


DROP CONNECTION

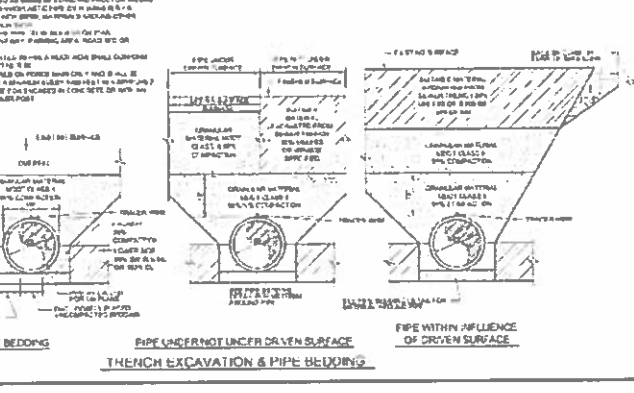
CASING PIPE



AIR RELIEF STRUCTURE



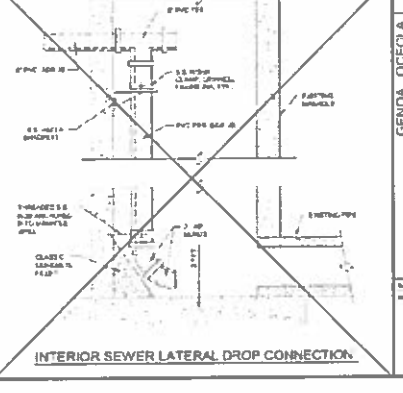
STANDARD MANHOLE



PIPE BEDDING

TRENCH EXCAVATION & PIPE BEDDING

PIPE WITHIN AFFLUENCE OF DRYEN SURFACE



INTERIOR SEWER LATERAL DROP CONNECTION

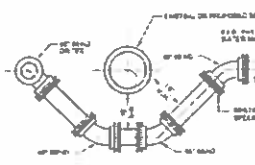


G. D. O'CONNEL
Professional Engineer
State of Missouri
No. 10000

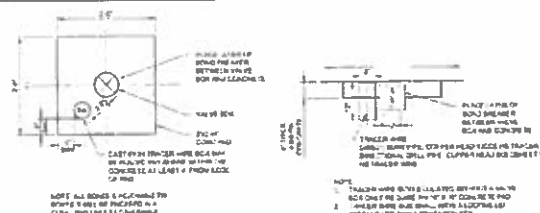
**SANITARY SEWER
STANDARD DETAILS**

| PIPE DIAMETER | TEST WT BENDS | 45° BENDS | 22 1/2° BENDS | 1 1/4" BENDS | ELBOWS | REDUCERS | FLANGES | REDUCERS |
|---------------|---------------|-----------|---------------|--------------|--------|----------|---------|----------|
| 1/2" | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 3/4" | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 1" | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 1 1/4" | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 1 1/2" | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 2" | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 2 1/2" | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 3" | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 4" | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 4 1/2" | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 6" | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 8" | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 10" | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| 12" | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |

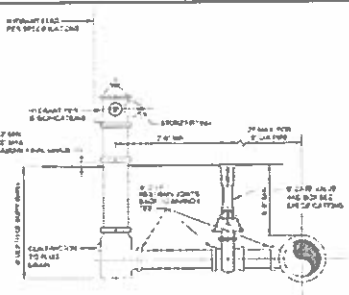
1. THE USE OF THE SCHEDULES ARE TO BE USED FOR THE LAYOUT OF PIPE SYSTEMS.
 2. THE TABLE IS INTENDED TO BE USED AS A GUIDE ONLY. THE ENGINEER SHALL BE RESPONSIBLE FOR THE DESIGN OF THE PIPE SYSTEM.
 3. THE USE OF THE SCHEDULES IS SUBJECT TO THE APPROVAL OF THE ENGINEER.
 4. THE USE OF THE SCHEDULES IS SUBJECT TO THE APPROVAL OF THE ENGINEER.
 5. THE USE OF THE SCHEDULES IS SUBJECT TO THE APPROVAL OF THE ENGINEER.



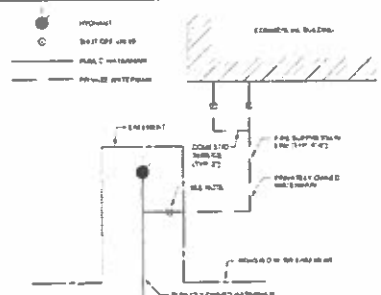
WATER MAIN UTILITY OFFSET



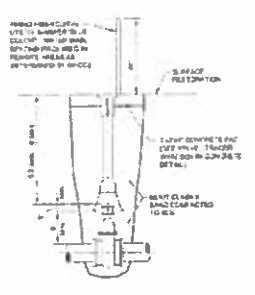
VALVE/TRACER WIRE BOX IN CONCRETE DETAIL



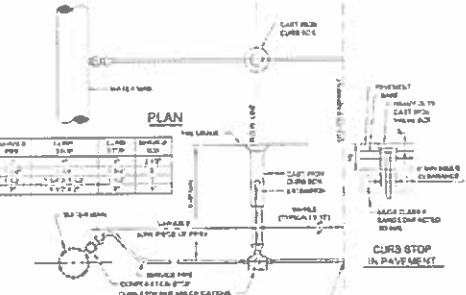
FIRE HYDRANT ASSEMBLY



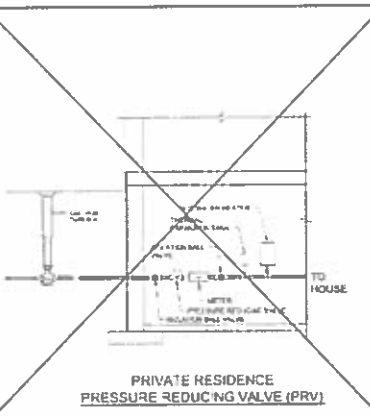
COMMERCIAL BUILDING WATER SERVICE LAYOUT



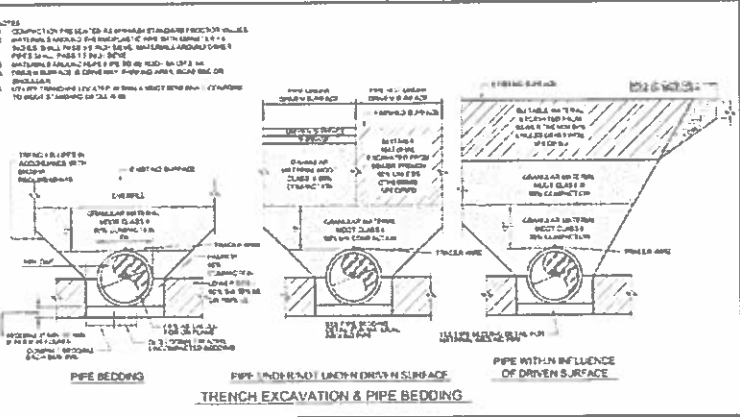
GATE VALVE AND BOX



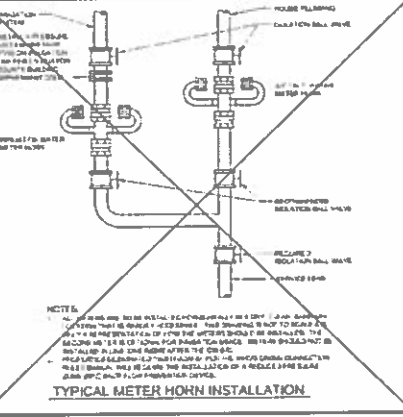
SECTION WATER SERVICE LATERAL



PRIVATE RESIDENCE PRESSURE REDUCING VALVE (PRV)



TRENCH EXCAVATION & PIPE BEDDING



TYPICAL METER HORN INSTALLATION

MARION HOWELL OCEOLA GERRA
 STANDARD DETAILS
 WATER MAIN

PROJECT NO. 13-293B
 SHEET NO. 13-293B-01

ROSS ENGINEERING
 ENGINEERS & ARCHITECTS
 1000 S. W. 10th Ave.
 Fort Lauderdale, FL 33304
 Phone: (954) 344-3400
 Fax: (954) 344-3401
 www.rosseng.com

PROJECT: LIPIN MEDICAL OFFICE BUILDING
 2375 W. PALM BEACH STREET
 WEST PALM BEACH, FL 33411
 ARCHITECT: DR. LIPIN
 TITLE: WATER MAIN DETAILS

DESIGNED BY: [Blank]
 CHECKED BY: [Blank]
 SCALE: 1" = 30'
 JOB NO. 13-293
 DATE: 4-30-14
 SHEET NO. 13-293B-01

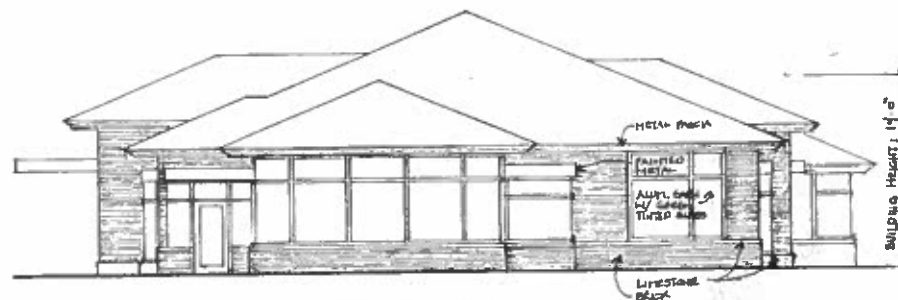
PRIOR TO CURB BOX INSTALLATION CONTACT GEORGE TONNIS @ CPW FOR CURB BOX INSTALLATION REQUIREMENTS.



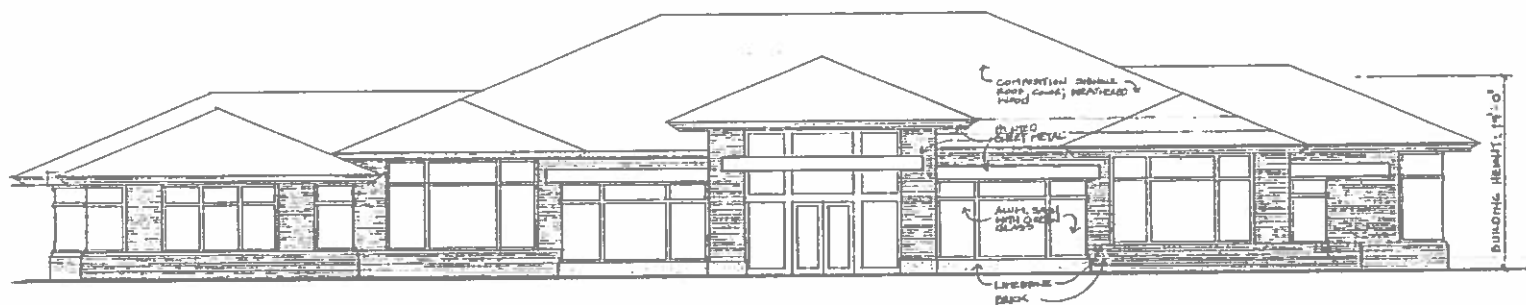
DesRosiers Architects

36330 Woodward Avenue
Bloomfield Hills, MI 48304
248/642-7771
www.drarch.com

Brighton Dermatology
Lipkin Medical Office Building
Grand River Ave
Genoa Township, MI



East (Side) Elevation



South (Entry) Elevation
Scale: 1/16" = 1'-0" May 21, 2014

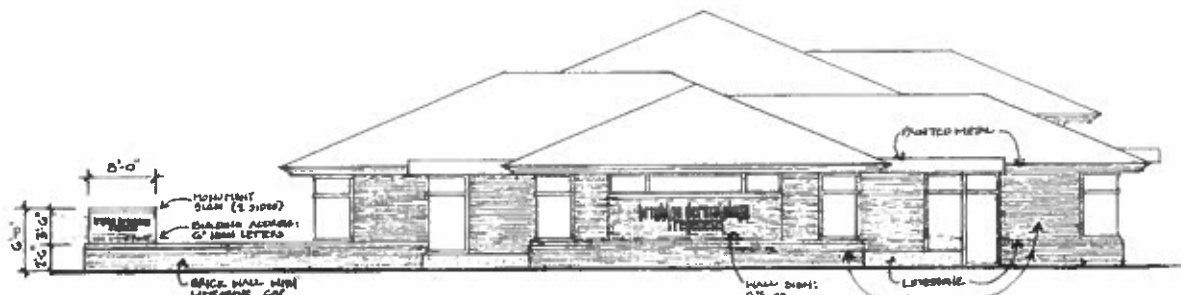
EXTERIOR WALL MATERIALS:
GLASS (LOW EMISS TINT) - 45%
BRICK (TAN, SAND FINE) - 41%
LIVESTONE - 7%
SHEET METAL (PAINTED FINISH) - 7%



**DesRosiers
Architects**

36370 Woodward Avenue
Bloomfield Hills, MI 48304
248.843.7771
www.draa.com

Brighton Dermatology
Lipkin Medical Office Building
Grand River Ave
Genoa Township, MI



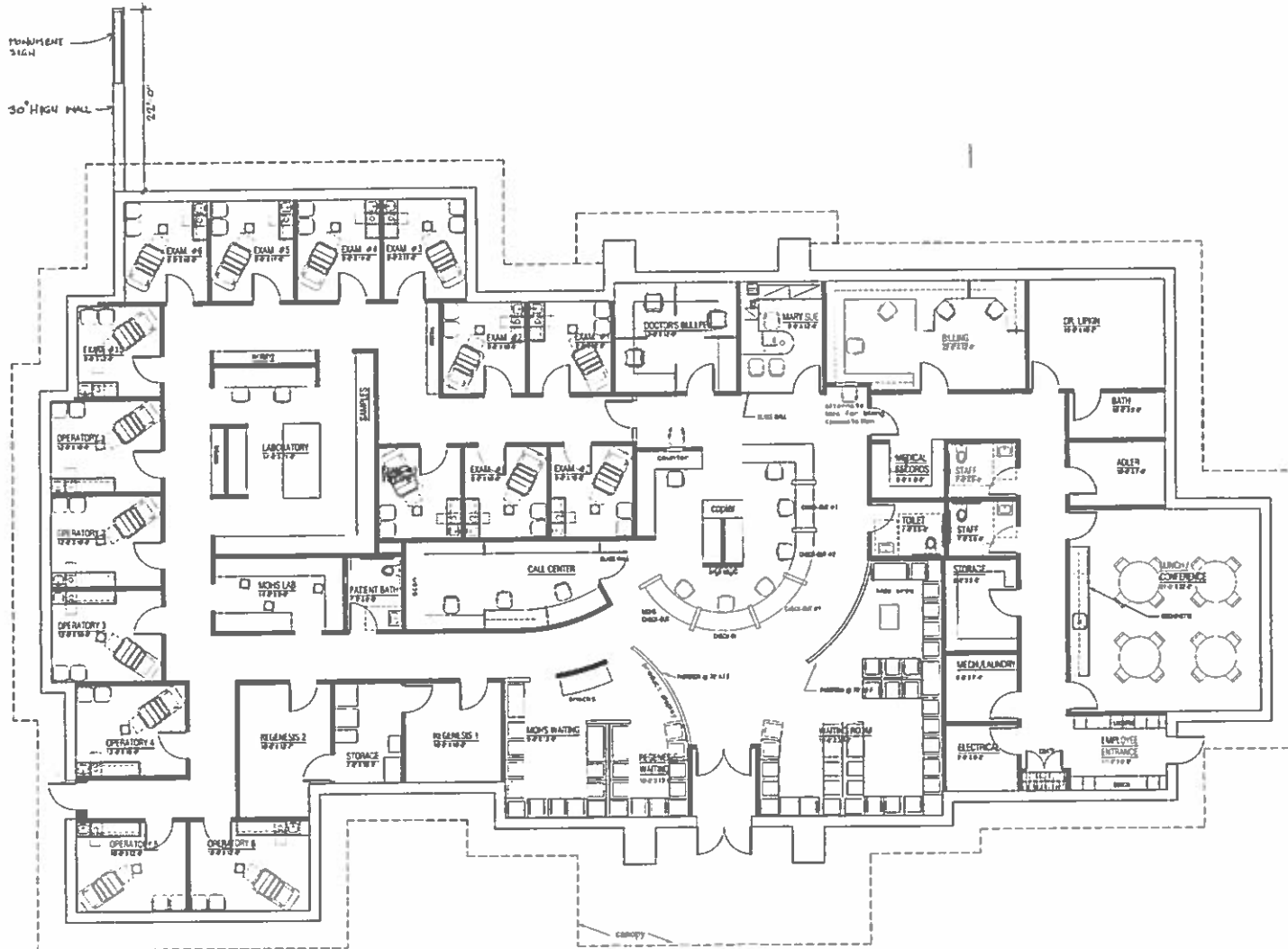
West (Side) Elevation



North (Grand River) Elevation

Scale: 3/16" = 1'-0" May 21, 2014

EXTERIOR WALL MATERIALS
GLASS (MOUNTAIN GLASS) - 45%
BRICK (DPA, SAND PAPER) - 45%
Limestone (SANDPAPER) - 7%
PAINTED METAL (PAINTED METAL) - 7%



DesRosiers Architects

36330 Woodward Avenue
 Bloomfield Hills, MI 48304
 248/643-7771
 www.drarch.com

Brighton Dermatology
 Lipkin Medical Office Building
 Grand River Ave
 Genoa Township, MI



MAIN LEVEL FLOOR PLAN

Scale: 3/16" = 1'-0" May 21, 2014

8100 SQ. FT.



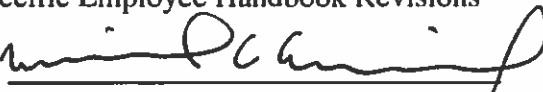
MEMO

TO: Honorable Members of the Genoa Charter Township Board of Trustees

FROM: Greg Tatara, Utility Director
Kimberly MacLeod, Human Resources Generalist

DATE: June 11, 2014

SUBJECT: Utility-Specific Employee Handbook Revisions

MANAGER REVIEW: 

.....

The employee handbook acts as a valuable communication tool for both the Township and its employees. As the creators and administrators of our policies, we believe it's important to periodically monitor, review, and make necessary updates to our employment practices and guidelines to: 1) ensure that they meet current employment laws and regulations; 2) evaluate their relevancy; and 3) confirm they are as clear as possible so that in the event of a dispute, we can use accurate policy documentation to safeguard the Township.

Since the Utility Department maintains a sub-section of the Employee Manual that is specific to the Utility Staff, we also feel that it is crucial to be as clear as possible to delineate which policies apply to Utility Department Employees vs. Township Hall Staff.

We have attached the updated policy sections for your review, in addition to summarizing them below. We are asking for your approval to adopt the following areas of the Genoa Charter Township Employee Handbook:

- 1) **Introduction to "Adoption of Genoa Charter Township Utility Specific Handbook"**
(See Attachment #1):
 - We've added a bullet pointed section that specifies exactly which policies Utility Employees are bound to in the Township Section of the Handbook
 - We've also added a paragraph that addresses what to do in the event of a discrepancy between the Township and Utility policy
 - Lastly, we've added language to address a stand-alone document that we plan on creating and maintaining. This document, going forward referred to as our "guidance document", will address department allowances (i.e.: cell phone, clothing, etc...) and/or incentive program budgets (i.e.: educational reimbursement) that may change from one fiscal year to the next.

- 2) **Inclement Weather Policy Update (See Attachment #2):**
 - As you know, Utility Department Employees are required to provide uninterrupted service to our citizens; therefore, employees are *not* eligible for an 'inclement weather

day' in terms of having the day off. However, to make the policy more consistent with the Township's policy, and to provide the employees an incentive to work (when the Township Hall officially closes due to Inclement Weather), we are recommending to amend the policy to provide eligible employees with eight (8) hours of extra personal leave added to his/her leave bank, in addition to time physically worked. Please refer to attachment for additional policy details.

3) Dress Code & Uniform Policy (See Attachment #3):

- Wearing suitable pants in terms of style or appearance has always been an expectation of a Utility Field Operator, but we've historically not provided any type of allowance specifically for work pants. Going forward, we've set aside funds to do so because job conditions of the Field Staff routinely ruins clothing from bleach, sewage, and other hazards. The "Pant Allowance" language has been inserted into the Dress Code and Uniform Policy but the actual quantity of the allowance will be kept in the Department's Guidance Document.

4) Cellular Phone Policy (See Attachment #4):

- Cellular Phone allowances, in terms of the specific dollar amounts, will no longer be referenced in the Employee Manual. Instead, we've added language to ramp up the eligibility requirements and the need to alter these allowances based on potential changes in job duties. The Allowance amounts will be kept in the Utility Guidance Document.

5) Drug Testing Policy (See Attachment #5):

- We are updating the post-accident section of the Drug Testing Policy. It currently does not address if an employee should be screened for drugs after being involved in a work-related accident. In the past, a decision was made by each supervisor (with guidance from the Utility Director), for each incident that occurred, leaving an inconsistent and subjective process. Going forward, any Utility Employee who is involved in a work-related accident will be driven to Brighton Urgent Care immediately following the occurrence unless the employee is undoubtedly not at fault (i.e. was stopped at a red light when accident occurred). We hope this new process will provide an objective and unified approach moving forward.

6) Professional Development Policy (See Attachment #6):

- To maintain a consistent approach, we are removing any specified dollar amounts listed in this policy that may fluctuate from year to year; this includes the employee annual allowance, meal expense limits when taking exams, and the License Incentive when employees pass an exam. We are also giving employees extra chances to pass exams that are proven to be very difficult. We are switching to a 4-tiered approach, with 100% of license fee paid for up front, and the remaining three (3) attempts reimbursed (if passed) as follows:
 - i. 100% Reimbursement at 2nd Attempt
 - ii. 50% Reimbursement at 3rd Attempt
 - iii. 0% Reimbursement thereafter

7) Performance & Salary Review Policy (See Attachment #7):

1. The Utility Department historically has followed a regimented performance and salary review process, with the end goal in mind to keep an open line of communication and expectations between employees and their supervisors. It has come to our attention that while we may follow this process, it was not written or noted in our Employee Manual.

In summary,

Moved by _____, supported by _____ to adopt the Genoa Charter Township Employee Manual changes effective June 4, 2014 as recommended by Human Resources and the Utility Director.

ADOPTION OF GENOA CHARTER TOWNSHIP UTILITY SPECIFIC HANDBOOK

Due to the nature of the work that the Township Utility Department employees perform, specific policies have been carefully developed that apply solely to Utility Department employees. These employees, however, should also review and acknowledge receipt of the Genoa Charter Township Employee Handbook that was originally adopted on May 21, 1990 and amended thereafter. Where not specifically referenced in the Utility Department Specific Policy Handbook, all Genoa Township Utility Department employees are also covered by the following Genoa Township policies:

- Purpose, Page 7
- Scope, Page 7
- Employment At-Will, Page 7
- Prior Policies or Practices, Page 7
- Modification, Page 8
- Equal Employment Opportunity, Page 8
- Accommodations, Page 8
- Harassment, Page 8
- **General Information:**
 - Length of Service, Page 10
 - Anniversary Date, Page 10
 - Employment Status, Page 10
 - Base Pay, Page 10
 - Longevity, Page 11
 - Pay Periods, Page 12
 - Medical/Hospital Insurance, Page 12
 - Pension/Retirement, Page 12
 - Workers' Compensation, Page 12
 - Short and Long Term Disability Insurance, Page 13
- **Leave of Absence:**
 - Annual Vacation Leave, Page 13

- Holidays, Page 14
- Funeral Leave, Page 15
- Court Duty, Page 16
- Sick or Personal Leave, Page 16
- Family and Medical Leave Act, Page 17
- Military Family Leave, Page 20
- **Disciplinary Action:**
 - Discipline Offenses, Page 23
 - Disciplinary Penalties, Page 25
 - Testing, Page 25
 - Relationship to At-Will Policy, Page 25
- **Miscellaneous:**
 - Personal Data, Page 27
 - Personnel Records, Page 27
 - Resignation, Page 28
 - Administrative Committee, Page 28

Where there is a discrepancy between this Utility-Specific Handbook and the general Employee Handbook in interpretation of a policy or practice, the Township Utility- Specific policy will supersede those other policies and amendments.

Human Resources will maintain and update certain Utility Department Plan/Guidance Documents where an allowance amount or employee incentive program is not defined in the Utility Employee Handbook. If there is any conflict between the terms of this Employee Handbook and the terms of the guidance documents, the policy will control.

Labor Standards Act ("FLSA") and applicable state law. If you are an exempt employee, you will be advised that you are in this classification at the time you are hired, transferred or promoted.

E. Lunch Break

Each employee will normally be allowed a thirty (30) minute paid lunch break. This break should be scheduled between 11:00 a.m. to 1:00 p.m.

Inclement Weather Policy**A. Purpose**

The purpose of this policy is to address the Utility Department's practice in the event of inclement weather.

B. Scope

This policy applies to all Township Utility Department employees.

C. Policy

While the Township will always keep the safety of its employees in mind, due to the nature of sewer and water operation, we are required to provide uninterrupted service to our citizens. As a result, Township Utility Department facilities and sites are never officially closed. It is the employee's responsibility to report to active duty on time and on the day he or she is scheduled to work, regardless of the weather conditions. So that we can maintain "24-hour 365-day per year" service, absence due to inclement weather must be reported with sufficient notice so that arrangements can be made to cover the essential duties of the absent employee.

In the event the Township Hall officially closes due to Inclement Weather, all Utility employees scheduled to work that day, and not already otherwise on vacation, personal leave, or other leave who report to work, will be paid at their regular rate AND provided with eight (8) hours of personal leave added to his/her leave bank. For employees that do not accrue personal leave, an alternative method will be applied.

Exempt Employees who do not report to work will be required to use accrued leave. Non-Exempt employees who do not report to work will not be paid.

Dress Code and Uniform Policy

A. Professional Appearance

Professional appearance, attitude and manner enhance the impression our community has of the Utility Systems. Employees should be cognizant of this and dress appropriately for the activity involved. Attire considered unsuitable for any business organization should be avoided. Examples of unsuitable attire are torn and tattered clothing, shorts, revealing low cut tops, t-shirts with offensive language, sleeveless shirts, capris, flip-flops, etc. If in question, don't wear it. If an employee's supervisor advises the employee that his or her attire is unacceptable, he or she may be sent home to change. This time is generally not paid by the Township.

B. Safety Clothing Requirement

For the employees' safety, all Township utility **field staff** will be required to wear protective footwear. Safety boots must be manufactured and labeled in accordance with Occupational Safety and Health Administration (OSHA) and the Township's standards. Boots must be leather, safety-toed, all weather purpose, and have a minimum of six inch ankle height. The Township will cover the cost for one pair of approved safety boots per year. A year is calculated from the date of the purchase. All safety boot requests should be directed to Human Resources prior to purchase.

All Field Employees will be provided appropriate reflective vests for traffic safety. When working in a road right of way, it is a requirement that these safety or reflective vests be worn by all employees of the utility department. Additionally, employees will be provided hard hats, safety glasses, and gloves as appropriate Personal Protective Equipment. These provided safety supplies need to worn by employees as site conditions indicate in conformance with the Township Safety Program.

C. Uniforms / Pant Allowance

The Township will issue uniform shirts and may purchase inclement weather clothing (Winter Bibs, Jackets, Hats, and Rain Gear) initially for each non primary office employee and from time to time thereafter as needed. Genoa Township Utility Staff will receive five (5) uniform shirts each spring and fall. If needed, at the discretion of the Utility Director, the employee may request replacement of worn uniform clothing which will be replaced at the cost of the Township. It is the responsibility of the employee to purchase his or her own

pants. Pants must be jeans or traditional work pants and must not have any holes. Managers who make appearances in the field are also subject to wear appropriately deemed work pants as described above. The Township, at the beginning of each Utility Department Fiscal Year, will provide eligible Staff with a Pant Allowance. This allowance will be deposited directly into the employee's paycheck. The Allowance itself will be determined each year by the Utility Director and is subject to change.

It is mandatory that Township issued clothing be worn during an employee's shift. This policy is also applicable to the Utility Office Staff, unless the Township deems the day as a "casual work day". Casual work days are typically held each Friday. If an employee is attending a professional work conference or an approved business event, he or she is not required to wear Township issued clothing. Employees must return Township issued uniforms to Human Resources prior to his/her last day of work.

D. Pre-Authorization

As stated in the policy, all boot and uniform requests should be directed to employee's supervisor prior to purchase. The Township has established contracts with local vendors who supply the type of uniforms and boots that we require. Therefore, in most cases, the Township will pay for the cost of the approved purchases by way of a direct bill. A list of pre-approved stores will be provided to employees. Employees may be required to bring a voucher into the store so that employment can be verified. This voucher should be requested and obtained from the employee's supervisor or Human Resources after official authorization has been granted.

E. Reimbursement

In some cases, the employee may need to purchase his/her work boots and/or uniform attire such as winter bibs or coveralls at his own expense and submit a request for reimbursement. When possible, this situation should be avoided.

As stated above, all purchases require Supervisors and/or Human Resources approval. If an employee makes a purchase without prior authorization, the Township may deny the reimbursement request.

Cellular Telephone Policy

A. Purpose and Scope

The purpose of this policy is to provide employees with the guidelines under which cellular phones and applicable allowances will be authorized to Township Utility Department employees and the rules under which the cellular telephones should be used for business purposes.

The policy is applicable to eligible full and part-time regular employees, eligible full-time temporary employees, and eligible Utility Office Staff.

B. Policy

As a condition of employment, all Township Utility Department employees are required to carry a cellular telephone and be available for business calls and texts during the employee's shift as well as when he or she is assigned to be available for on-call coverage. While working an assigned shift, personal calls should be made during breaks or after regular business hours.

The Township understands that it is more convenient to carry one cellular device for both personal and business use. For this reason, the Township is providing an allowance for the use of personal cellular telephones for business purposes. In exchange for use of a personal phone for business purposes, eligible employees will receive a monthly allowance. Eligibility and Allowance is pre-determined by the Utility Director and subject to change. The Utility Director also maintains the right to alter cellular phone allowances and eligibility based on the employee's job duties and potential changes in employee's employment status. This allowance will be paid out in twenty-six equal bi-weekly installment and deposited directly into the employee's paycheck and may be subject to all applicable tax withholdings. Since the Township is providing an allowance, it is critical that downtime of service is kept to a minimum.

Employees are responsible for making their cellular telephone payments, even when the cost exceeds the monthly allowance. If the employee does not own a cellular telephone, he or she is required to purchase one prior to their first day of employment. The Township has chosen Verizon as their "carrier of choice" and as a result requires that all eligible employees purchase their cellular telephone devices thru this chosen carrier. A new employee is not expected to drop a current contract with another vendor but upon expiration of a non-Verizon contract agrees to sign on with Verizon. The employee will be responsible for the cost of his or her own cellular phone accessories (e.g. charger, headset, Bluetooth devices, etc.) unless approved by the Township in advance.

C. Liability

Employees are responsible for their cellular telephones. If a device is lost, stolen, or damaged, the employee should immediately report this to his or her cell phone carrier and supervisor. Employees should resolve cellular telephone issues within five business days and may request the use of a Township loaner phone while their personal device is in service. We highly recommend that your personal cellular telephone plan includes an insurance policy. The Township will not be held liable for any cell phone contractual obligations in the event of voluntary or involuntary separation of employment.

D. Employee Signature

I, _____, having read this policy, agree to comply with the provisions of Genoa Charter Township Utility Department Cellular Telephone Policy.

Employee Signature

Today's Date

Drug Testing Policy

A. Purpose and Scope

The Township believes that a healthy work force, free from the effects of drugs/controlled substances and alcohol, helps to ensure the provision of quality service to our customers. Conversely, the abuse of drugs/controlled substances and alcohol creates a variety of work force and workplace problems, including increased absenteeism, increased on-the-job injuries, increased cost for health care and other benefits programs, and decreased employee morale, resulting in a loss of productivity and a decline in the quality of services provided to our customers.

The quality of services provided to our customers is particularly important when we are entrusted with maintaining the safety of water supplies. We believe that any employee involved in the water quality field has the ability to affect the integrity of water supplies, so we are extending this policy to all Utility Department Field and Water/Wastewater Division employees.

B. Non-Discrimination

In accordance with the requirements of the Americans with Disabilities Act, the Township does not discriminate against employees or applicants who are qualified individuals with a disability who are not currently engaged in the use of illegal drugs and who do not otherwise violate the provisions of this Policy, including but not limited to individuals who: 1) have successfully completed or who are currently participating in a supervised rehabilitation program and are no longer engaging in such use; or 2) have otherwise been rehabilitated successfully and are no longer engaging in such use.

C. Policy

The Township will test these employees or any person who has been offered employment with the Township that falls within the scope listed above, for the presence of alcohol or illegally used drugs/controlled substances in accordance with the provisions of this policy.

For purposes of this policy:

- "Alcohol" means ethyl alcohol or ethanol, the types of alcohol found in alcoholic beverages.
- "Drugs" means any substance recognized as a drug in the official United States Pharmacopoeia, the National Formulary, the official Homeopathic Pharmacopoeia of the United States, or other drug compendia, or supplement to any of those compendia; and as otherwise defined by Article 7, Part 71 of the Michigan Public Health Code, being MCL 333.7101 et seq, and as amended..

- “*Controlled substance*” means a drug, substance, or immediate precursor included in schedules 1 to 5 of Article 7, part 72 of the Michigan Public Health Code, being MCL 333.7201 et seq, and as amended and includes a controlled substance analogue as that term is defined by Article 7, Part 71 of the Michigan Public Health Code, being MCL 333.7101, et seq, and as amended.

A. Pre-employment

Any individual offered employment with the Township, as part of his or her general post-offer, pre-hire physical, will undergo testing for the presence of alcohol or illegally used drugs/controlled substances. A negative result (as well as demonstrated ability to perform the essential functions of the job offered) is required as a condition of hire. Conversely, candidates who test positive (or do not demonstrate the ability to perform the essential functions of the job) will not be hired. This contingency will be written in the employee’s offer letter.

The Township shall pay for the cost of the drug/controlled substance/alcohol screen. The prospective employee will not be compensated for time nor reimbursed for transportation or other expenses.

B. Active Employment

Random

All Township Utility employees may be required to submit to random testing. The service provider selected by the Township to provide testing will select employees using a random number generator. An employee base of 0 - 24 will generate one test per quarter.

Reasonable suspicion

When there is reasonable suspicion that an employee is using alcohol or drugs/controlled substances, has reported to work or is working while impaired, the employee will be subject to alcohol/drug/controlled substance testing.

Post-Accident

Involvement in or responsibility for a work-related accident or safety incident may be cause for alcohol/drug/controlled substance testing. The Township will always have the employee tested, post-accident, except for circumstances when the employee is undoubtedly NOT at fault.

Drug/controlled substance or alcohol testing shall occur during or immediately after the regular work period of current employees. The Township will pay all costs of testing.

Usually, the drug/controlled substance/alcohol test will involve only the collection of a urine sample. All sample collection and testing shall be performed in accordance with the following conditions:

- The collection of samples shall be performed under reasonable and sanitary conditions by a recognized health services provider selected by The Township.
- Samples shall be collected and tested with due regard to the privacy of the individual being tested

and in a manner reasonably calculated to prevent substitutions or interference with the collection or testing of reliable samples.

- Sample collection shall be documented and the documentation procedures shall include:
 - (a) labeling of samples so as to reasonably preclude the probability of erroneous identification of test results; and
 - (b) an opportunity for the employee or prospective employee to provide notification of any information which he or she considers relevant to the test, including identification of currently or recently used prescription or non-prescription drugs, or other relevant medical information.
- Sample collection, storage, and transportation to the place of testing shall be performed so as to reasonably preclude the probability of sample contamination or adulteration.
- Sample testing shall be performed by certified or accredited laboratories, and sample testing shall conform to scientifically-accepted analytical methods and procedures. Testing shall include verification or confirmation of any positive test results before the result of any test will be used as a basis for any action by the Township.
- The Medical Review Officer will notify the Township Utility Director of negative and confirmed positive test results.

D. Confidentiality

All drug/controlled substance and alcohol test results reported to the Township will remain and be considered confidential. Results will only be disclosed within the Township and on a need-to-know basis and as allowed by law and retained in a secure location with controlled access. Information about an employee's medical condition or history obtained in connection with a drug/controlled substance and alcohol test will be kept in a file separate and apart from the employee's personnel file. The release of an individual's drug/controlled substance and alcohol test results and other information gained in the testing process will only be otherwise disclosed in accordance with an individual's written authorization or as otherwise required by applicable law.

Consequences of Refusal to Test or Positive Test

As stated in the Township Employment Handbook, the Township is an at-will employer, which means that you or the Township can terminate your employment at any time, with or without cause. We realize that drug/controlled substance and alcohol testing involves personal intrusion; but, after lengthy consideration, we

have concluded that safety in the workplace and protecting the integrity of water supplies outweighs the intrusion. We have tried to design this program to be as un-invasive as possible while still meeting the goal of a drug/controlled substance and alcohol-free workplace. The following discussion of possible consequences is given because we want employees to know what to expect, but this discussion will not limit our right to terminate employment at any time, with or without cause.

The first thing an employee should know is this: If you use or are under the influence of drugs/controlled substances or alcohol, either while you work or close enough to your work time that the substances can be detected in your urine, you should expect to lose your job. This does not mean that we will terminate employment for every positive drug/controlled substance or alcohol test result, but be forewarned that termination certainly could happen. Also, if you refuse to provide a sample for testing when requested under this policy, the integrity of our program and safety of the workplace could be threatened, so you should expect to lose your job under this circumstance as well.

Because safety is our primary concern, in all cases in which a positive test results or the employee refuses to submit to a test, the employee will be relieved of duties as soon as possible. In most cases, we may immediately terminate employment. This is most likely to occur if there have been performance problems with the employee before or after testing, or when there was a reasonable suspicion of drug/controlled substance or alcohol use or influence, or an accident before testing. However, termination may also occur when none of these circumstances are present. Township management will use its discretion, after consultation with the Medical Review Officer, in making such decisions. In some cases, we may suspend the employee for a period of time without pay.

The Township reserves the right to change or suspend this policy or any part thereof at any time and at its sole discretion.

E. Acknowledgment of Receipt of Genoa Charter Township Drug-Testing Policy

I have received and reviewed a copy of the Genoa Charter Township Field and Water/Wastewater Division Drug-Testing Policy.

Employee Signature

Today's Date

5. If the issue cannot be resolved within a reasonable period of time by the Director, or if the employee is not satisfied with the resolution, the problem may be submitted in writing to the Township Manager for further discussion and resolution attempts. Upon receipt of such complaint, the Township Manager will seek the advice of the Administrative Committee and together will investigate the matter and will render a decision in writing.
6. If the employee is not satisfied with the decision of the Administrative Committee, he or she may appeal to the Township Board, as outlined in the Genoa Township Employee Handbook. Such appeal must be filed in writing within ten (10) working days after receipt of the decision of the Administrative Committee. Upon receipt of such appeal, the Township Board will schedule a hearing and will render a decision, which will be final and binding. The employee will receive reasonable notice of the hearing, including reasonable notice as to the issues to be decided. At the hearing, the employee will be allowed to present evidence and arguments in support of his/her position and will be allowed an opportunity to rebut any evidence or arguments against his/her position.
7. If the employee fails to file a complaint within the time limits state above or fails to take a timely appeal to the next step, the claim may be waived.

Professional Development Policy

A. Purpose and Introduction

The Professional Development policy has been implemented because the Township Utility Department feels that it is important to encourage and promote the required continuous technical and professional advancement of its employees. In addition to the State of Michigan requiring continuing professional development for those licensed professionals involved in the sewer and water treatment industry, this education additionally benefits the employees, as well as the safety of citizens we provide service to.

The Township strives to maximize professional potential in a way that is equitable among staff and mindful of the cost of this investment. The following components encompass our approach to fostering professional development.

B. Scope

This policy applies to all regular full-time and regular part-time Utility Department employees. The Township will cover the allowable costs if the following conditions are met:

- The license/certification or training being sought directly relates to an employee's current job responsibilities or one to which the employee can reasonably aspire within the Department.
- Prior approval is obtained from the employee's supervisor and the Township Utility Director or Deputy Utility Directors.

Generally speaking, certifications/licenses and training expenses that are covered under this policy include a) exam fees for obtaining a relevant license, b) expenses for training directly related to water and sewer operation, c) continuing education credits (CEC's) for license maintenance, d) professional and technical memberships, and e) conferences and seminars. Specific examples of reimbursable licenses/certifications include, but are not limited to, Municipal Wastewater Treatment Plant Operator, Storm Water Operator, Drinking Water and Wastewater System Operator, Distribution Operator, Industrial Wastewater Treatment Plant Operator, etc. The Township will also consider reimbursement for tuition-based classes that will enhance the employee's job related skill set.

C. Employee Responsibility and Allowance

Each employee is provided with a pre-determined allowance per fiscal year to use for approved professional development expenses. Expenses that meet the criteria, as described in the Scope of this policy and further clarified below, will be deducted out of this budget. A fiscal year is defined from April 1st to March 31st. Any funds that are not used within the fiscal year will be forfeited. The Professional Development allowance is determined by the Utility Director and is subject to change.

In the event the Township covers the cost for a professional exam and/or training at the request of an employee, and the employee voluntarily resigns prior to the test or class occurring, the employee is responsible for repayment of all expenses covered in accordance with this policy.

After obtaining proper approval, employee can either pay directly for the professional development expense, or work directly with Human Resources so that a request for payment can be sent to the governing authority. Regardless of how payment is handled, Human Resources will track each employee's professional training expenses. It is also expected that the employee will co-manage his/her budget. Unless approved by the Utility Director in advance, each employee cannot exceed the budgeted yearly allowance for approved professional development expenses per fiscal year as stated above.

D. Exam / Licensing and Licensure Incentive Program

The Township will cover the cost for license application and exam fees associated with obtaining sewer and water licenses as long as the cost does not exceed the employee’s allotted budget.

The Township will not reimburse if the employee withdraws from an exam, unless the withdrawal was requested by the Township. Payment for attempt at first exam is paid for 100% in advance by the Township. Should the employee fail the exam, the following will occur in terms of reimbursement to the employee, if they pass subsequent attempts at the same exam they first failed, if any:

- 100% Reimbursement, 2nd Attempt
- 50% Reimbursement, 3rd Attempt
- 0% Reimbursement Thereafter

Time required for review courses, sitting for exams, etc. are also covered by the Township, within budgetary limits. Meal expenses (one meal per exam only if exam is a full day) will also be covered, an amount determined by the Utility Director. Travel expenses should be covered by using a Township vehicle and carpooling when it makes sense.

Because of the personal time associated with preparation for a license exam, and because exam certifications improve our standing as a Utility as viewed by the Michigan Department of Environmental Quality, upon receipt of the employee’s professional registrations, the employee will be rewarded with an incentive provided through payroll according to the following table:

| Type of License: | Incentive Amount: |
|------------------------------|--------------------------------|
| D4, D3, S4, S3, D, C, F4, F3 | Determined by Utility Director |
| D2, D1, S2, S1, B, A, F2, F1 | Determined by Utility Director |

Recognition for multiple licenses will be honored regardless if the cost was covered by the Township or by the employee.

E. License Maintenance

The Township will cover the cost for the continual renewal of professional licenses as long as the cost does not exceed the employee’s allotted budget. Continuing education credits (CEC’s) are necessary to maintain licenses, registrations and certifications. It is the responsibility of the licensed professional to maintain his/her records of continuing education activities and to submit the record to their registration board upon request.

F. Professional and Technical Organizations

The Township encourages active participation in technical and professional organizations and will pay annual dues to organizations for each employee, provided they are directly related to job duties. Memberships may be paid with the approval of the Utility Director who will assess the overall benefit to the Department. Specific examples of such organizations include, but are not limited to, American Water Works Association, Michigan Water Environment Association, Water Environment Federation, American Society of Civil Engineers, Society of Human Resource Management, etc.

G. Conferences and Seminars

Employees may obtain approval by the Utility Director to attend professional conferences or seminars to give a technical presentation or accept an award on behalf of the Utility Department. The technical presentation should be reviewed with the Utility Director prior to presentation. Approval will be subject to the availability of funds, work schedule, and the relevance of the conference to the Department’s needs. Meal, travel, and registration expenses may also be covered with advanced approval.

H. Employee Signature

I, _____ (*print name*), having read this policy, agree to comply with the provisions of Genoa Charter Township Utility Department Professional Development Policy.

Employee Signature

Today’s Date

J. Return of Cards

Employees who use a township issued credit card or vendor account card in a manner contrary to this policy shall be subject to the following disciplinary actions, as deemed appropriate by the Utility Director:

- Verbal warning and counseling
- Written reprimand
- Suspension with or without pay
- Termination of employment
- Reimbursement to the Township for unauthorized expenditures

An employee issued a credit or account card shall return the card to the Township Utilities Director or Human Resources Department upon termination of his or her employment or service with the Township.

K. Employee Signature

I, _____, having read this policy, agree to comply with the provisions of Genoa Charter Township Utility Department Credit Card and Account Policy.

Employee Signature

Today's Date

PERFORMANCE & SALARY REVIEW POLICY

A. Purpose and Scope

Genoa Charter Township Utility Department is committed to the success and growth of its employees. The Department relies on the performance of its employees to deliver exceptional service to our community and its residents. Performance reviews are provided to all employees to determine if expectations, goals, and responsibilities are being met. These reviews are also a process to ensure that individual job satisfaction is being pursued by both the township and employees. It is also the policy of the

Utility Department to maintain competitive salary levels in relation to other local municipalities and within its own organization to attract and retain capable, well-qualified, and talented employees.

This policy applies to all GCT Utility Department employees, except for as determined by the Utility Director.

B. Annual Performance Review Process

GCT is committed to maintaining open lines of communication and setting clear and obtainable expectations and goals for every employee. Each supervisor will evaluate his or her employee on an annual basis using the Performance Evaluation Form provided by Human Resources. The process typically begins in February of every year. In most cases, employees will be given a chance to complete self-evaluations as well. Areas of performance strengths and weaknesses should be addressed during the evaluation. Employees are encouraged to provide input to the process and may include written commentary if desired.

Regular performance appraisals are beneficial and effective because they:

- Help employees clearly define and understand their responsibilities, provide criteria by which their performance will be evaluated, and suggest ways in which they can improve performance.
- Identify employees with potential for advancement within the Organization.
- Help managers distribute and achieve departmental goals.
- Provide a fair basis for awarding compensation based on merit.

Performance appraisals also influence salaries, promotions and transfers, so it is critical that supervisors be objective in conducting performance reviews and in assigning overall performance ratings. Only employees for whom a formal performance review is completed will be eligible for a salary adjustment. A performance review; however, does not always result in an automatic salary increase nor is an increase automatically given simply because of continued employment with the Township.

The performance evaluation will be discussed and signed both by the employee and the supervisor to ensure that all strengths, areas for improvement, and job goals for the next review period are clearly communicated. The completed evaluation will be retained in the employee's personnel file and copies will be provided to each employee.

C. Department Salary Planning and Individual Equity Review

Overall merit budget allocations, in terms of a total dollar value, are planned for and allotted for prior to the start of each fiscal year. A fiscal year is considered April 1 through March 31 of any given year. This planning tool is designed to assist the Township Utility Director in planning and allocating merit and promotional increases that:

- Reward individual performance;
- Are market competitive;
- Are internally equitable;
- Are comparable with the Township's DPW operating budget; and
- Are equitably allocated among individual employees, taking into consideration all available factors at one point in time.

The Township also maintains salary grades and applicable pay scale ranges for benchmarking and job progression purposes. At the start of the salary review process, an analysis of each employee's salary will be made available for the supervisors to review.

D. Annual Salary Review Process

Each employee is considered, at least annually, for a salary increase. This process usually begins in February and changes typically take effect during the month of April.

An employee's job performance, responsibility level, and independent decision-making skills are directly related to his or her pay. Other factors such as internal equity, external market conditions, position in pay scale, and the pay increase budget also are influencers of pay rates and adjustments. Since a "meeting expectations" performance review score is an expectation in order to receive a salary adjustment, we intentionally conduct the performance review discussions prior to evaluating compensation and discussing salary adjustments. Consequently, the salary review process is held directly following the annual performance review cycle.

Each Supervisor is responsible for completing and submitting the salary adjustment recommendation form to Human Resources. Human Resources, along with the Utility Director and Deputy Directors, will review all salary increase/adjustment requests to ensure compliance with company policy and that they fall within the provided guidelines. The supervisor should not discuss any proposed action with the employee

until all written approvals are obtained. Once supervisors receive final salary information, they should meet briefly with each employee, informing him/her of the increase decision.

Out-of-cycle salary increases are infrequent and must be pre-approved by the Utility Director, Human Resources Director and the employee's Manager.

HANDBOOK ACKNOWLEDGMENT

By signing below, I acknowledge that I have received a copy of the Genoa Township Employee Handbook, dated March 2011, and as amended. I understand that, except as provided in the Handbook, the terms and conditions of the Handbook supersede and control over any prior conflicting policy statements, representations, agreements or practices. I further understand that the Township reserves the right to modify, amend, supplement or delete any of the policies set forth in the Employee Handbook at any time, but that no such modification, amendment, supplement or deletion is valid unless it is in writing and approved by the Township Board.

Further, by signing below, I agree to be bound by the terms and provisions of the Genoa Township Employee Handbook, dated March 2011, as amended.

I expressly acknowledge that no provision of this Handbook, any other document or any prior or future discussions/communications with Genoa Township personnel shall create a for cause contract of employment with Genoa Township. I acknowledge and understand that unless my written employment agreement specifically states otherwise, Genoa Township has the right to terminate the employment relationship at any time, for any reason whatsoever or no reason at all, with or without notice, and I also have the right to terminate the employment relationship at any time, for any reason whatsoever or no reason at all and with or without notice.

Employee Signature _____

Today's Date _____



MEMO

TO: Honorable Members of the Genoa Charter Township Board

FROM: Greg Tatara, Utility Director
Tesha Humphriss, Utility Engineer

DATE: June 10, 2014

RE: Oak Pointe Wastewater Treatment Plant Consolidation Project
Bond Authorizing Resolution & Project Update

MANAGER REVIEW: 

.....

The Genoa Township Utility Department is pleased to present for the Genoa Township Board's consideration the Bond Authorizing Resolution for the consolidation of the Oak Pointe Wastewater Treatment Plant (WWTP) with the Genoa-Oceola WWTP. Previous Board action on this project includes the February 18, 2013, Notice of Intent to Issue Bonds and authorization of a contract for design engineering in August 2013. We are currently in the bidding phase for this project and are scheduled to receive all construction bids by June 25, 2014.

Project Summary

The construction of the improvements necessary to convey the wastewater from the Oak Pointe Collection System to the Genoa Oceola Wastewater Treatment Plant (WWTP) will take place in three phases, as shown on the attached figure (*Attachment #1*) and outlined in the bullets below:

- Force Main Installation
 - 25,000 linear feet of force main will be installed to connect the Oak Pointe WWTP to the Genoa-Oceola WWTP. This will along a route on the east side of Chilson Road.
 - *Anticipated Construction Schedule: August 2014 – December 2014*
- Genoa-Oceola WWTP Improvements
 - To provide capacity in the Genoa-Oceola WWTP for Oak Pointe, sludge processing and oxidation ditch improvements must be completed.
 - *Anticipated Construction Schedule: August 2014 – April 2015*
- Oak Pointe WWTP Conversion to Pumping Station
 - To convert the existing WWTP to a pump station, the existing equipment has to be removed and the current reactor cells converted to equalization holding chambers.
 - *Anticipated Construction Schedule: April 2015 – July 2015*

Public Education

Staff has made a concerted effort to provide initial notification the residents impacted by this project of the need for the project, the benefits of the project, and the anticipated cost associated with this project. Some of the public education highlights include:

- A Citizen's Advisory Committee was established in January 2012
- In the fall of 2012 Township staff attended and gave presentations to homeowners associations and hosted an open house at the Township Hall
- In October of 2012 a brochure regarding the project was mailed to all residents connected to the Oak Pointe Wastewater System
- Six quarterly updates have been posted on the Genoa Township Utility Department website, beginning in February of 2013 with the last update in May of 2014. These updates are also emailed to the Citizen's Advisory Committee, and are often circulated from these residents to the various homeowner association boards in the Oak Pointe and Northshore service areas.

In the past two years we have consistently published an anticipated cost of \$300/year/residential home.

Proposed Debt Repayment Plan

Attachment 2 is a summary of debt repayment scenarios for this project. As requested by the Citizens Advisory group, we are proposing to assess the debt with a combined flat and metered portion, and therefore the annual amount paid by each resident will vary. We have included three scenarios in the current debt repayment analysis:

Scenario B1 is based on the Total Project Cost Estimate of \$5,530,000 from April 2014 (see *Attachment #3* for a summary of this total project cost estimate). This scenario has a bond term of 22.24 years to hold the cost to the residents to approximately \$300/year.

Scenario B2: The Notice of Intent to Issue Bonds and the Bond Authorizing Resolution allow for a not to exceed amount of \$6,000,000 and 25-years. Scenario B2 is based on the not to exceed bond amount of \$6,000,000, while holding the annual cost per resident to around \$300/year.

Scenario B3 is based on the not to exceed bond amount of \$6,000,000 and a 20 year term.

We are pleased to report that all of the scenarios show that fees levied to users of the system are near the published amounts of \$300/year/resident while having adequate coverage to pay the debt and generating a small surplus in each scenario.

Upcoming Schedule

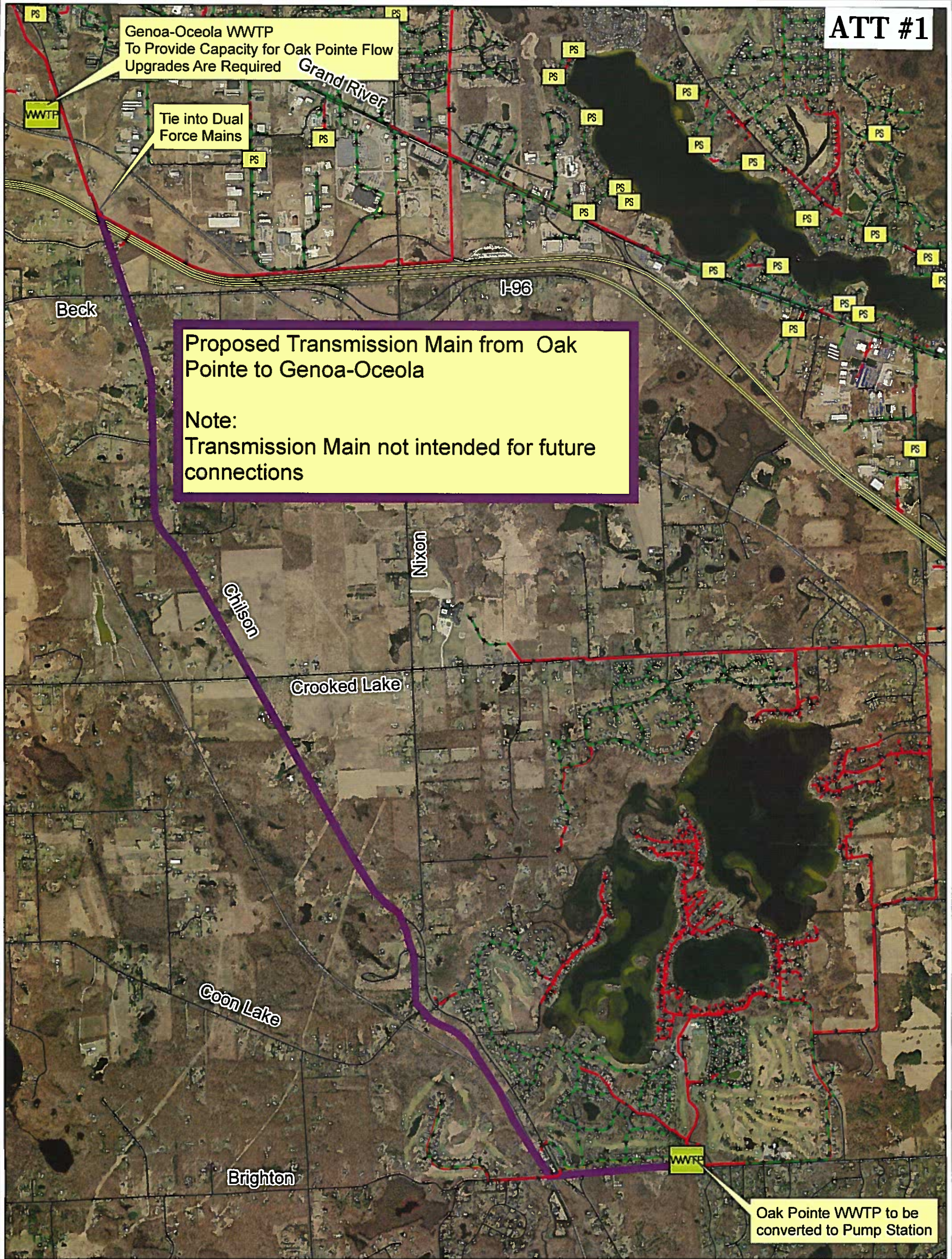
Looking to the next few months we anticipate the following schedule:

| Month | Tasks |
|--------------|--|
| June 2014 | <ul style="list-style-type: none">• Receive Construction Bids• Finalize Total Project Cost |
| July 2014 | <ul style="list-style-type: none">• Bond Sale and Award• Genoa Board Authorizes Construction Contracts (contingent upon bond closing) |
| August 2014 | <ul style="list-style-type: none">• Bond Closing• Genoa Board Authorizes Debt Repayment Fee on Oak Pointe Wastewater O&M (see note below)• Construction Starts |

Note: At this time we anticipate implementing the debt charge for the billing period of November 1, 2014 – January 31, 2015. These bills will be mailed in February of 2015 and will be due approximately March 15, 2015.

Bond Authorizing Resolution

For your review and approval, please find the proposed Bond Authorizing Resolution (*Attachment 4*), as prepared by our bond counsel, Dykema Gossett. Jim Kiefer of Dykema will be present at the meeting to answer questions on the legal and financial impacts of this project.



Legend

- PS Pump_Station
- WWTP WWTP
- Gravity Main
- Force Main
- Proposed Route

Consolidation of Oak Pointe WWTP with the Genoa-Oceola WWTP





The PFM Group

Public Financial Management, Inc.
 PFM Asset Management LLC
 PFM Advisors

305 E. Eisenhower Parkway
 Suite 112
 Ann Arbor, MI 48108

734-994-9700
 734-994-9710 fax
 www.pfm.com

**GENOA TOWNSHIP
 COUNTY OF LIVINGSTON, STATE OF MICHIGAN
 CAPITAL IMPROVEMENT BONDS, SERIES 2014**

SUMMARY OF BOND REPAYMENT SCENARIOS

| Table No. | Bond Amount | Interest Rate Used (4) | Bond Term | Metered Customers | | Quarterly Flat Rate per Unmetered Customer | Estimated Annual Cost per Customer | | |
|-----------|-------------|------------------------|-----------|----------------------------|------------------------|--|------------------------------------|---------------------|-----------|
| | | | | Quarterly Flat Base Charge | Excess Flow Charge (1) | | Minimum Metered (2) | Typical Metered (3) | Unmetered |
| B1 | \$5,530,000 | 4.25% | 22.24 Yrs | \$64.00 | \$1.65 | \$76.00 | \$256.00 | \$296.78 | \$304.00 |
| B2 | \$6,000,000 | 4.40% | 24.24 Yrs | \$66.00 | \$1.80 | \$78.00 | \$264.00 | \$308.48 | \$312.00 |
| B3 | \$6,000,000 | 4.00% | 19.24 Yrs | \$74.00 | \$1.95 | \$88.00 | \$296.00 | \$344.19 | \$352.00 |

Assumptions:

- (1) Rate per 1,000 gallons in excess of 10,000 gallons per quarter.
- (2) Assumes the use of 10,000 or less gallons per quarter.
- (3) Assumes the use of 16,178 gallons per quarter for typical metered customer.
- (4) Assumes current interest rates as of April 14, 2014 plus 0.50% (assuming the township maintains its underlying rating of AA+).

Above information assumes 1 REU per customer.

Bonds dated August, 6, 2014

Rate increase effective November, 1, 2014

NW/KB
 6/4/2014



TABLE B1

**GENOA TOWNSHIP
 COUNTY OF LIVINGSTON, STATE OF MICHIGAN
 CAPITAL IMPROVEMENT BONDS, SERIES 2014
 SCHEDULE OF ESTIMATED DEBT SERVICE AND COVERAGE**

Rate Increase: 11/1/2014

| Fiscal Year Beginning 1-Apr | Revenue | | | | | Year of Bond Payment | \$5,530,000 | | 22.24 yrs. | | Dated Date: 8/6/2014 | | Yearly Excess or (Shortfall) | Cumulative Excess or (Shortfall) |
|-----------------------------|-----------------------------------|--|-------------------------------------|--------------------------|--------------------|----------------------|--------------------|---------------------|---------------|--------------------|----------------------|----------------------|------------------------------|----------------------------------|
| | (A) Capital Charge @ \$64.00 /qtr | (B) Excess Flow Charge \$1.65 per 1,000 gal. | (C) Flat Unm. Charge @ \$76.00 /qtr | Allow for Delinq. 30.00% | Total | | Interest Due 1-May | Principal Due 1-Nov | Interest Rate | Interest Due 1-Nov | Capitalized Interest | Avg. 395,477 Net P&I | | |
| 2013 | \$0 | \$0 | \$0 | | \$0 | 2013 | | | | | | | | |
| 2014 | \$63,424 | \$7,838 | \$30,856 | (\$30,635) | 71,482 | 2014 | 0 | 0 | 4.250% | 55,492 | (\$5,492) | 0 | 71,482 | 71,482 |
| 2015 | 253,696 | 31,350 | 123,424 | (\$91,906) | 316,564 | 2015 | 117,513 | 0 | 4.250% | 117,513 | 0 | 235,025 | 81,539 | 153,022 |
| 2016 | 253,696 | 31,350 | 123,424 | | 408,470 | 2016 | 117,513 | 170,000 | 4.250% | 117,513 | | 405,025 | 3,445 | 156,467 |
| 2017 | 253,696 | 31,350 | 123,424 | | 408,470 | 2017 | 113,900 | 175,000 | 4.250% | 113,900 | | 402,800 | 5,670 | 162,137 |
| 2018 | 253,696 | 31,350 | 123,424 | | 408,470 | 2018 | 110,181 | 185,000 | 4.250% | 110,181 | | 405,363 | 3,108 | 165,244 |
| 2019 | 253,696 | 31,350 | 123,424 | | 408,470 | 2019 | 106,250 | 190,000 | 4.250% | 106,250 | | 402,500 | 5,970 | 171,214 |
| 2020 | 253,696 | 31,350 | 123,424 | | 408,470 | 2020 | 102,213 | 200,000 | 4.250% | 102,213 | | 404,425 | 4,045 | 175,259 |
| 2021 | 253,696 | 31,350 | 123,424 | | 408,470 | 2021 | 97,963 | 210,000 | 4.250% | 97,963 | | 405,925 | 2,545 | 177,804 |
| 2022 | 253,696 | 31,350 | 123,424 | | 408,470 | 2022 | 93,500 | 215,000 | 4.250% | 93,500 | | 402,000 | 6,470 | 184,274 |
| 2023 | 253,696 | 31,350 | 123,424 | | 408,470 | 2023 | 88,931 | 225,000 | 4.250% | 88,931 | | 402,863 | 5,608 | 189,882 |
| 2024 | 253,696 | 31,350 | 123,424 | | 408,470 | 2024 | 84,150 | 235,000 | 4.250% | 84,150 | | 403,300 | 5,170 | 195,052 |
| 2025 | 253,696 | 31,350 | 123,424 | | 408,470 | 2025 | 79,156 | 245,000 | 4.250% | 79,156 | | 403,313 | 5,158 | 200,209 |
| 2026 | 253,696 | 31,350 | 123,424 | | 408,470 | 2026 | 73,950 | 255,000 | 4.250% | 73,950 | | 402,900 | 5,570 | 205,779 |
| 2027 | 253,696 | 31,350 | 123,424 | | 408,470 | 2027 | 68,531 | 265,000 | 4.250% | 68,531 | | 402,063 | 6,408 | 212,187 |
| 2028 | 253,696 | 31,350 | 123,424 | | 408,470 | 2028 | 62,900 | 280,000 | 4.250% | 62,900 | | 405,800 | 2,670 | 214,857 |
| 2029 | 253,696 | 31,350 | 123,424 | | 408,470 | 2029 | 56,950 | 290,000 | 4.250% | 56,950 | | 403,900 | 4,570 | 219,427 |
| 2030 | 253,696 | 31,350 | 123,424 | | 408,470 | 2030 | 50,788 | 300,000 | 4.250% | 50,788 | | 401,575 | 6,895 | 226,322 |
| 2031 | 253,696 | 31,350 | 123,424 | | 408,470 | 2031 | 44,413 | 310,000 | 4.250% | 44,413 | | 398,825 | 9,645 | 235,967 |
| 2032 | 253,696 | 31,350 | 123,424 | | 408,470 | 2032 | 37,825 | 330,000 | 4.250% | 37,825 | | 405,650 | 2,820 | 238,787 |
| 2033 | 253,696 | 31,350 | 123,424 | | 408,470 | 2033 | 30,813 | 340,000 | 4.250% | 30,813 | | 401,625 | 6,845 | 245,632 |
| 2034 | 253,696 | 31,350 | 123,424 | | 408,470 | 2034 | 23,588 | 355,000 | 4.250% | 23,588 | | 402,175 | 6,295 | 251,927 |
| 2035 | 253,696 | 31,350 | 123,424 | | 408,470 | 2035 | 16,044 | 370,000 | 4.250% | 16,044 | | 402,088 | 6,383 | 258,309 |
| 2036 | 253,696 | 31,350 | 123,424 | | 408,470 | 2036 | 8,181 | 385,000 | 4.250% | 8,181 | | 401,363 | 7,108 | 265,417 |
| 2037 | 0 | 0 | 0 | | 0 | 2037 | 0 | 0 | 4.250% | 0 | | 0 | 0 | 265,417 |
| | <u>\$5,644,736</u> | <u>\$697,538</u> | <u>\$2,746,184</u> | <u>(\$122,541)</u> | <u>\$8,965,917</u> | | <u>\$1,585,250</u> | <u>\$5,530,000</u> | | <u>\$1,640,742</u> | <u>(\$55,492)</u> | <u>\$8,700,500</u> | <u>\$265,417</u> | |

* Billings due in March, June, September and December. 2014/2015 Fiscal Year assumes one quarter of the rate increases.
 NOTE: ON A CASH FLOW BASIS, THE SYSTEM WILL NEED TO USE APPROXIMATELY \$50,000 OF FUNDS ON HAND TO ENSURE AMPLE CASH FLOW.
 (A) Based on total number of unmetered REUs of 991
 (B) Based on estimated flow in excess of minimum of 19,000 assuming a minimum of 10,000 (in gallons)
 (C) Based on total number of non-metered customers of 406

ASSUMPTIONS:

| | |
|--|---------|
| Number of Metered REUs | 991 |
| Total Annual Excess Flow (in 1,000 gallons) | 19,000 |
| Minimum flow (gallons per quarter) | 10,000 |
| Non-metered customers | 406 |
| Average yearly household use | 64,713 |
| Average quarterly household use | 16,178 |
| Non-metered average quarterly household cost | \$76.00 |

TABLE B2

GENOA TOWNSHIP
COUNTY OF LIVINGSTON, STATE OF MICHIGAN
CAPITAL IMPROVEMENT BONDS, SERIES 2014
SCHEDULE OF ESTIMATED DEBT SERVICE AND COVERAGE

Rate Increase: 11/1/2014

| Fiscal Year Beginning 1-Apr | Revenue | | | | | Year of Bond Payment | \$6,000,000 | | 24.24 yrs. | | Dated Date: 8/6/2014 | | Yearly Excess or (Shortfall) | Cumulative Excess or (Shortfall) |
|-----------------------------|-----------------------------------|--|-------------------------------------|--------------------------|---------------------|----------------------|--------------------|---------------------|---------------|--------------------|----------------------|-----------------------|------------------------------|----------------------------------|
| | (A) Capital Charge @ \$66.00 /qtr | (B) Excess Flow Charge \$1.80 per 1,000 gal. | (C) Flat Unm. Charge @ \$78.00 /qtr | Allow for Delinq. 30.00% | Total | | Interest Due 1-May | Principal Due 1-Nov | Interest Rate | Interest Due 1-Nov | Capitalized Interest | Avg.: 413,552 Net P&I | | |
| 2013 | \$0 | \$0 | \$0 | | \$0 | 2013 | | 0 | | | | | | |
| 2014 | \$65,406 | \$8,550 | \$31,668 | (\$31,687) | 73,937 | 2014 | 0 | 0 | 4.400% | 62,333 | (62,333) | 0 | 73,937 | 73,937 |
| 2015 | 261,624 | 34,200 | 126,672 | (\$95,062) | 327,434 | 2015 | 132,000 | 0 | 4.400% | 132,000 | | 264,000 | 63,434 | 137,371 |
| 2016 | 261,624 | 34,200 | 126,672 | | 422,496 | 2016 | 132,000 | 155,000 | 4.400% | 132,000 | | 419,000 | 3,496 | 140,867 |
| 2017 | 261,624 | 34,200 | 126,672 | | 422,496 | 2017 | 128,590 | 165,000 | 4.400% | 128,590 | | 422,180 | 316 | 141,183 |
| 2018 | 261,624 | 34,200 | 126,672 | | 422,496 | 2018 | 124,960 | 170,000 | 4.400% | 124,960 | | 419,920 | 2,576 | 143,759 |
| 2019 | 261,624 | 34,200 | 126,672 | | 422,496 | 2019 | 121,220 | 180,000 | 4.400% | 121,220 | | 422,440 | 56 | 143,815 |
| 2020 | 261,624 | 34,200 | 126,672 | | 422,496 | 2020 | 117,260 | 185,000 | 4.400% | 117,260 | | 419,520 | 2,976 | 146,791 |
| 2021 | 261,624 | 34,200 | 126,672 | | 422,496 | 2021 | 113,190 | 195,000 | 4.400% | 113,190 | | 421,380 | 1,116 | 147,907 |
| 2022 | 261,624 | 34,200 | 126,672 | | 422,496 | 2022 | 108,900 | 200,000 | 4.400% | 108,900 | | 417,800 | 4,696 | 152,603 |
| 2023 | 261,624 | 34,200 | 126,672 | | 422,496 | 2023 | 104,500 | 210,000 | 4.400% | 104,500 | | 419,000 | 3,496 | 156,099 |
| 2024 | 261,624 | 34,200 | 126,672 | | 422,496 | 2024 | 99,880 | 220,000 | 4.400% | 99,880 | | 419,760 | 2,736 | 158,835 |
| 2025 | 261,624 | 34,200 | 126,672 | | 422,496 | 2025 | 95,040 | 230,000 | 4.400% | 95,040 | | 420,080 | 2,416 | 161,251 |
| 2026 | 261,624 | 34,200 | 126,672 | | 422,496 | 2026 | 89,980 | 240,000 | 4.400% | 89,980 | | 419,960 | 2,536 | 163,787 |
| 2027 | 261,624 | 34,200 | 126,672 | | 422,496 | 2027 | 84,700 | 250,000 | 4.400% | 84,700 | | 419,400 | 3,096 | 166,883 |
| 2028 | 261,624 | 34,200 | 126,672 | | 422,496 | 2028 | 79,200 | 260,000 | 4.400% | 79,200 | | 418,400 | 4,096 | 170,979 |
| 2029 | 261,624 | 34,200 | 126,672 | | 422,496 | 2029 | 73,480 | 270,000 | 4.400% | 73,480 | | 416,960 | 5,536 | 176,515 |
| 2030 | 261,624 | 34,200 | 126,672 | | 422,496 | 2030 | 67,540 | 280,000 | 4.400% | 67,540 | | 415,080 | 7,416 | 183,931 |
| 2031 | 261,624 | 34,200 | 126,672 | | 422,496 | 2031 | 61,380 | 295,000 | 4.400% | 61,380 | | 417,760 | 4,736 | 188,667 |
| 2032 | 261,624 | 34,200 | 126,672 | | 422,496 | 2032 | 54,890 | 315,000 | 4.400% | 54,890 | | 424,780 | (2,284) | 186,383 |
| 2033 | 261,624 | 34,200 | 126,672 | | 422,496 | 2033 | 47,960 | 325,000 | 4.400% | 47,960 | | 420,920 | 1,576 | 187,959 |
| 2034 | 261,624 | 34,200 | 126,672 | | 422,496 | 2034 | 40,810 | 340,000 | 4.400% | 40,810 | | 421,620 | 876 | 188,835 |
| 2035 | 261,624 | 34,200 | 126,672 | | 422,496 | 2035 | 33,330 | 355,000 | 4.400% | 33,330 | | 421,660 | 836 | 189,671 |
| 2036 | 261,624 | 34,200 | 126,672 | | 422,496 | 2036 | 25,520 | 370,000 | 4.400% | 25,520 | | 421,040 | 1,456 | 191,127 |
| 2037 | 261,624 | 34,200 | 126,672 | | 422,496 | 2037 | 17,380 | 385,000 | 4.400% | 17,380 | | 419,760 | 2,736 | 193,863 |
| 2038 | 261,624 | 34,200 | 126,672 | | 422,496 | 2038 | 8,910 | 405,000 | 4.400% | 8,910 | | 422,820 | (324) | 193,539 |
| 2039 | 0 | 0 | 0 | | 0 | 2039 | | 0 | 4.400% | 0 | | 0 | 0 | 193,539 |
| | <u>\$6,344,382</u> | <u>\$829,350</u> | <u>\$3,071,796</u> | <u>(\$126,749)</u> | <u>\$10,118,779</u> | | <u>\$1,962,620</u> | <u>\$6,000,000</u> | | <u>\$2,024,953</u> | <u>(\$62,333)</u> | <u>\$9,925,240</u> | <u>\$193,539</u> | |

* Billings due in March, June, September and December. 2014/2015 Fiscal Year assumes one quarter of the rate increases.

NOTE: ON A CASH FLOW BASIS, THE SYSTEM WILL NEED TO USE APPROXIMATELY \$70,000 OF FUNDS ON HAND TO ENSURE AMPLE CASH FLOW.

(A) Based on total number of unmetered RI:Us of 991

(B) Based on estimated flow in excess of minimum of 19,000 assuming a minimum of 10,000 (in gallons)

(C) Based on total number of non-metered customers of 406

NW/KB
6/4/2014

ASSUMPTIONS:

| | |
|--|---------|
| Number of Metered RI:Us | 991 |
| Total Annual Excess Flow (in 1,000 gallons) | 19,000 |
| Minimum flow (gallons per quarter) | 10,000 |
| Non-metered customers | 406 |
| Average yearly household use | 64,713 |
| Average quarterly household use | 16,178 |
| Non-metered average quarterly household cost | \$78.00 |



TABLE B3

**GENOA TOWNSHIP
COUNTY OF LIVINGSTON, STATE OF MICHIGAN
CAPITAL IMPROVEMENT BONDS, SERIES 2014**

SCHEDULE OF ESTIMATED DEBT SERVICE AND COVERAGE

Rate Increase: 11/1/2014

| Fiscal Year | Revenue | | | | | Year of Bond Payment | \$6,000,000 | | | 19.24 yrs. | | Dated Date: 8/6/2014 | | Yearly Excess or (Shortfall) | Cumulative Excess or (Shortfall) |
|-------------|-----------------------------------|--|-------------------------------------|--------------------------|--------------------|----------------------|--------------------|---------------------|---------------|--------------------|----------------------|-----------------------|------------------|------------------------------|----------------------------------|
| | (A) Capital Charge @ \$74.00 /qtr | (B) Excess Flow Charge \$1.95 per 1,000 gal. | (C) Flat Unm. Charge @ \$88.00 /qtr | Allow for Delinq. 30.00% | Total | | Interest Due 1-May | Principal Due 1-Nov | Interest Rate | Interest Due 1-Nov | Capitalized Interest | Avg.: 461,368 Net P&I | | | |
| 2013 | \$0 | \$0 | \$0 | | \$0 | 2013 | | 0 | | | | | | | |
| 2014 | \$73,334 | \$9,263 | \$35,728 | (\$35,497) | 82,827 | 2014 | 0 | 0 | 4.000% | 56,667 | (\$6,667) | 0 | 82,827 | 82,827 | |
| 2015 | 293,336 | 37,050 | 142,912 | (\$106,492) | 366,806 | 2015 | 120,000 | 0 | 4.000% | 120,000 | | 240,000 | 126,806 | 209,633 | |
| 2016 | 293,336 | 37,050 | 142,912 | | 473,298 | 2016 | 120,000 | 235,000 | 4.000% | 120,000 | | 475,000 | (1,702) | 207,931 | |
| 2017 | 293,336 | 37,050 | 142,912 | | 473,298 | 2017 | 115,300 | 245,000 | 4.000% | 115,300 | | 475,600 | (2,302) | 205,629 | |
| 2018 | 293,336 | 37,050 | 142,912 | | 473,298 | 2018 | 110,400 | 255,000 | 4.000% | 110,400 | | 475,800 | (2,502) | 203,127 | |
| 2019 | 293,336 | 37,050 | 142,912 | | 473,298 | 2019 | 105,300 | 265,000 | 4.000% | 105,300 | | 475,600 | (2,302) | 200,825 | |
| 2020 | 293,336 | 37,050 | 142,912 | | 473,298 | 2020 | 100,000 | 275,000 | 4.000% | 100,000 | | 475,000 | (1,702) | 199,123 | |
| 2021 | 293,336 | 37,050 | 142,912 | | 473,298 | 2021 | 94,500 | 285,000 | 4.000% | 94,500 | | 474,000 | (702) | 198,421 | |
| 2022 | 293,336 | 37,050 | 142,912 | | 473,298 | 2022 | 88,800 | 295,000 | 4.000% | 88,800 | | 472,600 | 698 | 199,119 | |
| 2023 | 293,336 | 37,050 | 142,912 | | 473,298 | 2023 | 82,900 | 310,000 | 4.000% | 82,900 | | 475,800 | (2,502) | 196,617 | |
| 2024 | 293,336 | 37,050 | 142,912 | | 473,298 | 2024 | 76,700 | 320,000 | 4.000% | 76,700 | | 473,400 | (102) | 196,515 | |
| 2025 | 293,336 | 37,050 | 142,912 | | 473,298 | 2025 | 70,300 | 335,000 | 4.000% | 70,300 | | 475,600 | (2,302) | 194,213 | |
| 2026 | 293,336 | 37,050 | 142,912 | | 473,298 | 2026 | 63,600 | 345,000 | 4.000% | 63,600 | | 472,200 | 1,098 | 195,311 | |
| 2027 | 293,336 | 37,050 | 142,912 | | 473,298 | 2027 | 56,700 | 360,000 | 4.000% | 56,700 | | 473,400 | (102) | 195,209 | |
| 2028 | 293,336 | 37,050 | 142,912 | | 473,298 | 2028 | 49,500 | 375,000 | 4.000% | 49,500 | | 474,000 | (702) | 194,507 | |
| 2029 | 293,336 | 37,050 | 142,912 | | 473,298 | 2029 | 42,000 | 390,000 | 4.000% | 42,000 | | 474,000 | (702) | 193,805 | |
| 2030 | 293,336 | 37,050 | 142,912 | | 473,298 | 2030 | 34,200 | 405,000 | 4.000% | 34,200 | | 473,400 | (102) | 193,703 | |
| 2031 | 293,336 | 37,050 | 142,912 | | 473,298 | 2031 | 26,100 | 420,000 | 4.000% | 26,100 | | 472,200 | 1,098 | 194,801 | |
| 2032 | 293,336 | 37,050 | 142,912 | | 473,298 | 2032 | 17,700 | 435,000 | 4.000% | 17,700 | | 470,400 | 2,898 | 197,699 | |
| 2033 | 293,336 | 37,050 | 142,912 | | 473,298 | 2033 | 9,000 | 450,000 | 4.000% | 9,000 | | 468,000 | 5,298 | 202,997 | |
| 2034 | 0 | 0 | 0 | | 0 | 2034 | 0 | 0 | 4.000% | 0 | | 0 | 0 | 202,997 | |
| | <u>\$5,646,718</u> | <u>\$713,213</u> | <u>\$2,751,056</u> | <u>(\$141,989)</u> | <u>\$8,968,997</u> | | <u>\$1,383,000</u> | <u>\$6,000,000</u> | | <u>\$1,439,667</u> | <u>(\$56,667)</u> | <u>\$8,766,000</u> | <u>\$202,997</u> | | |

* Billings due in March, June, September and December. 2014/2015 Fiscal Year assumes one quarter of the rate increases.

NOTE: ON A CASH FLOW BASIS, THE SYSTEM WILL NEED TO USE APPROXIMATELY \$60,000 OF FUNDS ON HAND TO ENSURE AMPLE CASH FLOW.

(A) Based on total number of unmetered REUs of 991

(B) Based on estimated flow in excess of minimum of 19,000 assuming a minimum of 10,000 (in gallons)

(C) Based on total number of non-metered customers of 406

ASSUMPTIONS:

| | |
|--|---------|
| Number of Metered REUs | 991 |
| Total Annual Excess Flow (in 1,000 gallons) | 19,000 |
| Minimum flow (gallons per quarter) | 10,000 |
| Non-metered customers | 406 |
| Average yearly household use | 64,713 |
| Average quarterly household use | 16,178 |
| Non-metered average quarterly household cost | \$88.00 |



The PFM Group
 Public Financial Management, Inc.
 PFM Asset Management LLC
 PFM Advisors

305 E. Eisenhower Parkway
 Suite 112
 Ann Arbor, MI 48108

73
 73
 wn **ATT #3**

\$5,530,000
GENOA TOWNSHIP
COUNTY OF LIVINGSTON, STATE OF MICHIGAN
CAPITAL IMPROVEMENT BONDS, SERIES 2014
(LIMITED TAX GENERAL OBLIGATION)

ESTIMATE OF COST

| | | | |
|---------------------------------------|--------|------------------|----------------------------------|
| Construction | | | |
| Force Main Contract | | \$2,100,000 | |
| OP Pump Station Conveyance to GO WWTP | | <u>2,400,000</u> | \$4,500,000 |
| Construction Contingency | 10.00% | | 450,000 |
| Construction Engineering / Testing | 10.00% | | 450,000 |
| Grinder pumps | | | 50,000 |
| Design Engineering | | | 365,000 |
| Local Attorney | Est. | | 15,000 |
| Bond Issuance Costs: | | | |
| Bond Attorney | Est. | \$35,000 | |
| Financial Consultant | | 14,333 | |
| MAC Fee | | 400 | |
| Credit Rating | | 11,000 | |
| Official Statement Printing & Mailing | | 4,500 | |
| Treasury Filing | | 1,106 | |
| Legal Publishing / Contingency | | <u>3,937</u> | |
| Total Bond Issuance Costs | | | 70,276 |
| Bond Discount and bond insurance | 1.00% | | 55,300 |
| Capitalized Interest | | | 74,425 |
| TOTAL PROJECT COSTS: | | | <u>\$6,030,000</u> |
| Less: Funds on hand | | \$500,000 | |
| | | \$0 | 500,000 |
| AMOUNT OF BOND ISSUE | | | <u><u>\$5,530,000</u></u> |

NW/KB
 4/14/14

Public Financial Management Inc.
 305 E. Eisenhower Parkway, Suite 112, Ann Arbor, MI 48108
 Phone #: (734) 994-9700 Fax #: (734) 994-9710

5/23/2014

GENOA CHARTER TOWNSHIP

At a meeting of the Township Board (the "Township Board") of Genoa Charter Township, Livingston County, Michigan, (the "Township") held at the Township Hall on June 16, 2014, at _____ p.m., there were

PRESENT: _____

ABSENT: _____

The following preambles and resolution were offered by _____ and seconded by _____:

Bond Authorizing Resolution

WHEREAS, the Township intends to construct certain improvements to its Oak Pointe wastewater treatment and transmission system, which improvements are described in the plans and specifications on file in the offices of the Township's Utilities Department, and which will include the construction of sludge removal improvements at the wastewater treatment plant owned by the Genoa-Oceola Sewer and Water Authority, which improvements are necessary to treat the anticipated flow of wastewater from the Oak Pointe system (the "Project");

WHEREAS, the Township intends to finance a substantial portion of the costs of the Project through the issuance of tax-exempt bonds in an amount of not to exceed \$6,000,000;

WHEREAS, the Township Board has determined that it is appropriate to issue capital improvement bonds (the "Bonds") pursuant to Act No. 34, Public Acts of Michigan, 2001, as amended (the "Act") to pay for all or a portion of the costs of the Project;

WHEREAS, the Township Board has published a Notice of Intention (the "Notice of Intention") to issue capital improvement bonds pursuant to the provisions of the Act;

WHEREAS, no petition for referendum has been filed in response to the Notice of Intention;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP BOARD OF GENOA CHARTER TOWNSHIP as follows:

1. The Project. The Township Board hereby determines it to be advisable and necessary to acquire and construct the Project. The estimate of not more than \$6,000,000 as the total cost of the Project to be financed by the Bonds and 25 years and upwards as the period of usefulness of the Project are hereby approved and adopted.

2. Bond Details. The Township Board approves the issuance of the Bonds for the Project in one or more series. The initial series of bonds shall be issued pursuant to the terms of this Bond Authorizing Resolution. Additional series of bonds shall be issued pursuant to the terms of subsequent Bond Authorizing Resolutions. Pursuant to the Act, capital improvement bonds in the principal sum of not to exceed \$6,000,000 shall be issued for the purpose of defraying the cost of the Project. The bonds shall be known as "Genoa Charter Township Capital Improvement Bonds (Oak Pointe Sewer System Project), Series 2014" (the "Bonds") and shall be dated August 1, 2014 or such other date as shall be designated, prior to the sale of the Bonds, by an Authorized Officer of the Township. For purposes of this Bond Authorizing Resolution, the Supervisor, Clerk and Treasurer of the Township are each an "Authorized Officer." The Bonds shall be fully-registered, both as to principal and interest, in any denominations determined by an Authorized Officer regardless of rate and maturity date. The Bonds shall mature on November 1 (or such other date as is determined by an Authorized Officer prior to the sale of the Bonds) of each year in the principal amounts determined by an Authorized Officer prior to the sale of the Bonds, provided that the final maturity date of the Bonds shall not be after September 1, 2039 and the aggregate principal amount of the Bonds shall not exceed \$6,000,000.

The Bonds shall be in substantially the form attached as Appendix A with such changes, additions or deletions as are not inconsistent with this Resolution.

3. Interest Payment and Date of Record. The Bonds shall bear interest payable on May 1 and November 1 of each year, beginning November 1, 2014 or on such other dates as may be determined by an Authorized Officer prior to the sale of the Bonds. Interest shall be paid by check mailed by first class mail to the registered owner of the Bonds as of the applicable date of record, provided, however, that an Authorized Officer may agree with the Bond Registrar (the "Bond Registrar") on a different method of payment. If interest is paid differently, the Bond form attached as Appendix A and the Notice of Sale form attached as Appendix B shall be changed accordingly.

The date of record shall be the fifteenth day of the month immediately preceding the month in which such interest is payable.

4. Prior Redemption. The Bonds shall be subject to redemption prior to maturity at the Township's option as determined by an Authorized Officer and as set forth in the Official Notice of Sale for the Bonds.

5. Capitalized Interest. Prior to the sale of the Bonds, an Authorized Officer shall determine the portion, if any, of the interest payable on the Bonds that is to be capitalized and such amount of Bond proceeds shall be deposited in the Bond Payment Fund at the closing of the Bonds.

6. Paying Agent and Bond Registrar. The Bonds shall be registrable upon the books of a bank designated by an Authorized Officer as paying agent and bond registrar for the Bonds. The Bonds may be authenticated by the Bond Registrar if so ordered by an Authorized Officer.

7. Transfer or Exchange of Bonds. Any Bond shall be transferable on the bond register maintained with respect to the Bonds upon the surrender of the Bond together with an assignment executed by the registered owner or his or her duly authorized attorney in form satisfactory to the Bond Registrar. Upon receipt of a properly assigned Bond, the Bond Registrar shall authenticate and deliver a new Bond or Bonds in equal aggregate principal amount and like interest rate and maturity to the designated transferee or transferees.

Bonds may likewise be exchanged for one or more other bonds with the same interest rate and maturity in authorized denominations aggregating the same principal amount as the Bond or Bonds being exchanged. Such exchange shall be effected by surrender of the Bond to be exchanged to the Bond Registrar with written instructions signed by the registered owner of the Bond or his or her attorney in form satisfactory to the Bond Registrar. Upon receipt of a Bond with proper written instructions, the Bond Registrar shall authenticate and deliver a new Bond or Bonds to the registered owner of the Bond or his or her properly designated transferee or transferees or attorney.

The Bond Registrar may require payment by a bondholder of a sum sufficient to cover any tax or other governmental charge payable in connection with any such registration, transfer or exchange. The Bond Registrar is not required to honor any transfer or exchange of Bonds during the fifteen (15) days preceding an interest payment date.

8. Execution and Delivery. The Supervisor and the Clerk are hereby authorized and directed to execute the Bonds for and on behalf of the Township by manually executing the same or by causing their facsimile signatures to be affixed, provided in the latter instance the Bonds are thereafter authenticated by the Bond Registrar.

9. Security for Payment of the Bonds. The principal of and interest on the Bonds shall be payable from revenue generated from the debt service charges paid by users of the Township's Oak Pointe wastewater system. In the event that the revenue from the debt service charges is not sufficient the Township intends to use the reserve funds and/or the operation and maintenance funds from the Township's Oak Pointe wastewater system to pay the debt service on the Bonds. Additionally, the Township hereby pledges its limited tax full faith and credit as additional security for the payment of the principal of and interest on the Bonds. Pursuant to such pledge, should other revenue be insufficient to pay the principal of and interest on the Bonds, the Township shall pay the principal of and interest on the Bonds as a first budget obligation from its general funds, including the collection of any ad valorem taxes which the Township is authorized to levy, but any such levy shall be subject to applicable constitutional, charter and statutory tax rate limitations.

10. Bond Payment Fund. From the proceeds of the sale of the Bonds, there shall be set aside in a bond and interest redemption account (the "Bond Payment Fund") any accrued interest received from the purchaser of the Bonds and any portion of the Bonds issued to fund a capitalized interest reserve, as determined by an Authorized Officer. No less than five (5) days prior to each principal and interest payment date, the Township shall deposit in the Bond Payment Fund sufficient monies to pay the interest payment and the principal payment, if any, coming due on such subsequent interest payment date. The Bond Payment Fund shall be held by the Township.

Moneys in the Bond Payment Fund may be continuously invested and reinvested in any legal investment for Township funds, which shall mature, or which shall be subject to redemption by the holder thereof not later than, the dates when moneys in the Bond Payment Fund will be required to pay the principal of and interest on the Bonds. Obligations purchased as an investment of moneys of the Bond Payment Fund shall be deemed at all times to be a part of such fund, and the interest accruing thereon and any profit realized from such investment shall be credited to such fund.

11. Construction Fund. There is hereby established a Construction Fund into which all proceeds from the sale of the Bonds shall be deposited, except any accrued interest on the Bonds received at the delivery thereof by the Township from the purchaser and any portion of the Bonds issued to fund a capitalized interest reserve, as determined by an Authorized Officer. Moneys in the Construction Fund shall be used to pay for the Project and costs associated therewith, including costs of issuance. Surplus moneys remaining in the Construction Fund after completion of the Project shall be deposited in the Bond Payment Fund. The Construction Fund shall be held by the Township.

Moneys in the Construction Fund may be continuously invested and reinvested in any legal investment for Township funds, which shall mature, or which shall be subject to redemption by the holder thereof not later than, the estimated dates when moneys in the Construction Fund will be required to pay costs of the Project. Obligations purchased as an investment of moneys of the Construction Fund shall be deemed at all times to be a part of such fund, and the interest accruing thereon and any profit realized from such investment shall be credited to such fund.

12. Additional Bonds. Additional bonds of equal standing with the Bonds may be issued in connection with the Project. Nothing in this Resolution shall prevent the issuance by the Township of bonds to finance other projects for the Township.

13. Mutilated, Lost, Stolen or Destroyed Bonds. In the event any Bond is mutilated, lost, stolen or destroyed, the Supervisor and the Clerk may, on behalf of the Township, execute and deliver, or order the Bond Registrar to authenticate and deliver, a new Bond having a number not then outstanding, of like date, maturity and denomination as that mutilated, lost, stolen or destroyed.

In the case of a mutilated Bond, a replacement Bond shall not be delivered unless and until such mutilated Bond is surrendered to the Bond Registrar. In the case of a lost, stolen or destroyed Bond a replacement Bond shall not be delivered unless and until the Township and the Bond Registrar shall have received such proof of ownership and loss and indemnity as they determine to be sufficient, which shall consist at least of (i) a lost instrument bond for principal and interest remaining unpaid on the lost, stolen or destroyed bond; (ii) an affidavit of the registered owner (or his or her attorney) setting forth ownership of the Bond lost, stolen or destroyed and the circumstances under which it was lost, stolen or destroyed; (iii) the agreement of the owner of the Bond (or his or her attorney) to fully indemnify the Township and the Bond Registrar against loss due to the lost, stolen or destroyed Bond and the issuance of any replacement Bond in connection therewith; and (iv) the agreement of the owner of the Bond (or his or her attorney) to pay all expenses of the Township and the Bond Registrar in connection with the replacement, including the transfer and exchange costs which otherwise would be paid by the Township.

14. Depositories. All of the banks located in the State of Michigan are hereby designated as permissible depositories of the moneys in the funds and accounts set forth in this Resolution. An Authorized Officer shall select the depository or depositories to be used from those banks authorized in this section.

15. Notice of Sale. Sealed bids for the purchase of the Bonds shall be accepted up to a time to later be determined by an Authorized Officer. The Official Notice of Sale shall be published once in accordance with law in The Bond Buyer or The Detroit Legal News, in substantially the form attached as Appendix B to this Resolution. Any Authorized Officer may make such changes to the attached Official Notice of Sale, or cause it to be published in additional publications, as such Authorized Officer deems appropriate.

16. Provisions for the Sale and Award of the Bonds. The Township shall sell the Bonds at a competitive sale in conformance with the Act, the laws of the State of Michigan and the rules and regulations of the Michigan Department of Treasury, provided that the weighted average interest rate on the Bonds shall not exceed six percent (6.0%) and the discount on the Bonds shall not exceed two percent (2%). Any Authorized Officer is authorized to award the sale of the Bonds to the bidder whose bid produces the lowest interest cost to the Township, as determined by the Township's financial advisor.

17. Arbitrage and Tax Covenant. Notwithstanding any other provision of this Resolution, the Township covenants that it will not at any time or times:

(a) Permit any proceeds of the Bonds or any other funds of the Township or under its control to be used directly or indirectly (i) to acquire any securities or obligations, the acquisition of which would cause any Bond to be an "arbitrage bond" as defined in Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), or (ii) in a manner which would result in the exclusion of any Bond from the treatment afforded by Section 103(a) of the Code by reason of the classification of any Bond as a "private activity bond" within the meaning of Section 141(a) of the Code, as a "private loan bond" within the meaning of Section 141(a) of the Code or as an obligation guaranteed by the United States of America within the meaning of Section 149(b) of the Code; or

(b) Take any action, or fail to take any action (including failure to file any required information or other returns with the United States Internal Revenue Service or to rebate amounts to the United States, if required, at or before the time or times required), within its control which action or failure to act would (i) cause the interest on the Bonds to be includable in gross income for federal income tax purposes, cause the interest on the Bonds to be includable in computing any alternative minimum tax (other than the alternative minimum tax applicable to interest on all tax-exempt obligations generally) or cause the proceeds of the Bonds to be used directly or indirectly by an organization described in Section 501(c)(3) of the Code or (ii) adversely affect the exemption of the Bonds and the interest thereon from State of Michigan income taxation.

18. Qualified Tax-Exempt Obligation. The Bonds are hereby designated as a "qualified tax-exempt obligations" for purposes of deduction of interest expense by financial institutions under the provisions of Section 265 of the Code, provided that such designation shall have no effect if, at the time the Official Notice of Sale is published, the Bonds have been determined to be ineligible to

be so designated on the basis of the Township's reasonable expectations at the time of such publication. In such event, the Official Notice of Sale shall be changed appropriately.

19. Defeasance or Redemption of Bonds. If at any time,
- (a) the whole amount of the principal of and interest on all outstanding Bonds shall be paid, or
 - (b) (i) sufficient moneys, or Government Obligations (as defined in this Section) not callable prior to maturity, the principal of and interest on which when due and payable will provide sufficient moneys to pay the whole amount of the principal of and premium, if any, and interest on all outstanding Bonds as and when due at maturity or upon redemption prior to maturity shall be deposited with and held by a trustee or an escrow agent for the purpose of paying the principal of and premium, if any, and interest on such Bonds as and when due, and (ii) in the case of redemption prior to maturity, all outstanding Bonds shall have been duly called for redemption (or irrevocable instructions to call such Bonds for redemption shall have been given).

Then, at the time of the payment referred to in clause (a) of this Section 19 or of the deposit referred to in clause (b) of this Section 19, the Township shall be released from all further obligations under this resolution, and any moneys or other assets then held or pledged pursuant to this resolution for the purpose of paying the principal of and interest on the Bonds (other than the moneys deposited with and held by a trustee or an escrow agent as provided in clause (b) of this Section) shall be released from the conditions of this resolution, paid over to the Township and considered excess proceeds of the Bonds. All moneys and Government Obligations so deposited and held shall be held in trust and applied only to the payment of the principal of and premium, if any, and interest on the Bonds at maturity or upon redemption prior to maturity, as the case may be, as provided in this Section.

The trustee or escrow agent referred to in this Section 19 shall (a) be a bank or trust company permitted by law to offer and offering the required services, (b) be appointed by an Authorized Officer and (c) at the time of its appointment and so long as it is serving as such, have at least \$25,000,000 of capital and unimpaired surplus. The same bank or trust company may serve as trustee or escrow agent under this Section 19 and as Bond Registrar so long as it is otherwise eligible to serve in each such capacity.

As used in this Section 19, the term "Government Obligations" means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by, the United States of America.

20. Contract. The provisions of this Resolution shall constitute a contract between the Township and the holder or holders of the Bonds from time to time, and after the issuance of such Bonds, no change, variation or alternation to the provisions of this resolution may be made which would lessen the security for the Bonds. The provisions of this resolution shall be enforceable by appropriate proceedings taken by such Bondholder either at law or in equity.

21. Continuing Disclosure. Any Authorized Officer is hereby authorized to execute a Continuing Disclosure Undertaking with respect to the Bonds. The Bonds are hereby made subject to such Continuing Disclosure Undertaking and the Township agrees to abide by the provisions thereof so long as any of the Bonds are outstanding.

22. Preliminary Official Statement and Final Official Statement. Any Authorized Officer is hereby authorized to approve for distribution a Preliminary Official Statement for the Bonds and once the Bonds have been sold, any Authorized Officer is hereby authorized to execute an Official Statement with respect to the Bonds.

23. Additional Covenants. The Township covenants and agrees with the successive holders of the Bonds that so long as any maturities of the Bonds remain outstanding and unpaid as to either principal or interest:

(a) The Township will punctually perform all of its obligations and duties under this Resolution and will collect, segregate and apply such ad valorem taxes levied on all taxable property in the Township, subject to applicable constitutional and statutory tax rate limitations, in the manner required by the provisions of this Resolution.

(b) The Township will maintain and keep proper books of record and accounts relating to the operation of its portion of the Project.

24. Retention of Bond Counsel. The firm of Dykema Gossett PLLC, Lansing, Michigan, is hereby retained to act as bond counsel (“Bond Counsel”) for the Township in connection with the issuance, sale and delivery of the Bonds.

25. Retention of Municipal Advisor. Public Financial Management, Inc., Ann Arbor, Michigan (the “Municipal Advisor”), is hereby retained to act as municipal advisor to the Township in connection with the sale and delivery of the Bonds.

26. Conflicting Resolutions. All resolutions and parts of resolutions in conflict with the foregoing are hereby rescinded.

27. Effective Date. This Resolution shall become effective immediately upon its adoption and shall be recorded in the minutes of the Township Board as soon as is practicable after its passage.

A roll call vote on the foregoing resolution was taken, the result of which is as follows:

Yes: _____

No: _____

THE RESOLUTION WAS DECLARED ADOPTED.

Certification

The undersigned, being the duly qualified and acting Clerk of Genoa Charter Township, Livingston County, Michigan, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Township Board at a regular meeting, at which meeting a quorum was present and remained throughout, (2) the original thereof is on file in the records in my office, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended) and (4) minutes of such meeting were kept and will be or have been made available as required thereby.

Dated: June __, 2014

Genoa Charter Township Clerk

Appendix A

Form of Bond

[FORM OF BOND]

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the Township or its agent for registration or transfer, exchange, or payment and any certificate issued is registered in the name of Cede & Co. or in such other name as is requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein

GENOA CHARTER TOWNSHIP
COUNTY OF LIVINGSTON, STATE OF MICHIGAN
CAPITAL IMPROVEMENT BONDS
(OAK POINTE SEWER SYSTEM PROJECT), SERIES 2014

Maturity Date

Interest Rate

CUSIP

Date of Issuance:

Registered Owner:

Principal Amount:

FOR VALUE RECEIVED, Genoa Charter Township (the "Township"), Livingston County, State of Michigan, hereby acknowledges itself indebted and promises to pay on the Maturity Date specified above, to the Registered Owner specified above, or registered assigns, the Principal Amount shown above, upon presentation and surrender of this Bond at the principal office of the Bond Registrar (the "Bond Registrar"), together with the interest thereon to the Registered Owner of this Bond on the applicable date of record at the Interest Rate per annum specified above payable on November 1, 2014, and semi-annually thereafter on the first day of May and November in each year. The date of record for payments of interest shall be April 15 with respect to payments made on May 1 and October 15 with respect to payments made on November 1.

This Bond is one of a series of bonds of like date and tenor except as to denomination, date of maturity and interest rate, numbered from 1 upwards, aggregating the principal sum of \$_____ and issued under and pursuant to and in full conformity with the Constitution and Statutes of the State of Michigan and especially Act No. 34, Public Acts of Michigan 2001, as amended (the "Act"), for the purpose of financing improvements to the Township's Oak Pointe wastewater treatment and transmission system, including the construction of sludge removal improvements at the wastewater treatment plant owned by the Genoa-Oceola Sewer and Water Authority, which improvements are necessary to treat the anticipated flow of wastewater from the Oak Pointe system (the "Project"), funding a capitalized interest reserve for the Bonds and paying the costs of issuance of the Bonds.

The principal of and interest on the Bonds shall be payable from revenue generated from the debt service charges paid by users of the Township's Oak Pointe wastewater system. In the event

that the revenue from the debt service charges is not sufficient the Township intends to use the reserve funds and/or the operation and maintenance funds from the Township's Oak Pointe wastewater system to pay the debt service on the Bonds. Additionally, the Township has pledged its limited tax full faith and credit as additional security for the payment of the principal of and interest on the Bonds. Pursuant to such pledge, should other revenue be insufficient to pay the principal of and interest on the Bonds, the Township has agreed to pay the principal of and interest on the Bonds as a first budget obligation from its general funds, including the collection of any ad valorem taxes which the Township is authorized to levy, but any such levy shall be subject to applicable constitutional, charter and statutory tax rate limitations.

Principal installments of this Bond are subject to redemption prior to maturity at the Township's option as follows: Bonds maturing in the years 2016 to 2022, inclusive, are not subject to optional redemption prior to maturity. Bonds maturing on or after November 1, 2023 are subject to optional redemption, in whole or in part in such order as the Township shall determine, in integral multiples of \$5,000 on any date on or after November 1, 2022 at par plus accrued interest to the redemption date. No premium will be paid for Bonds called for optional redemption.

With respect to partial redemptions, any portion of a bond outstanding in a denomination larger than the minimum authorized denomination may be redeemed provided such portion and the amount not being redeemed each constitutes an authorized denomination. If less than the entire principal amount of a bond is called for redemption, upon surrender of the bond to the Bond Registrar, the Bond Registrar shall authenticate and deliver to the registered owner a new Bond in the principal amount of the principal portion not being redeemed.

Notice of redemption shall be sent to the registered holder of each bond being redeemed by first class United States mail at least 30 days before the date fixed for redemption, which notice shall fix the date of record with respect to the redemption. Any defect in any notice of redemption shall not affect the validity of the redemption proceedings. Bonds so called for redemption shall not bear interest after the date fixed for redemption provided funds or sufficient government obligations then are on deposit with the Bond Registrar to redeem such bonds.

This Bond is transferable on the bond registration books of the Bond Registrar upon surrender of this Bond together with an assignment executed by the Registered Owner or his or her duly authorized attorney in form satisfactory to the Bond Registrar. Upon such transfer, one fully registered bond in the same aggregate principal amount and the same maturity and interest rate, will be issued to the designated transferee or transferees. The Bond Registrar shall not be required to honor any transfer of this Bond during the period from the applicable date of record preceding an interest payment date to such interest payment date.

For a complete statement of the funds from which and the conditions under which this Bond is payable and the general covenants and provisions pursuant to which this Bond is issued, reference is made to the Bond Authorizing Resolution adopted by the Township Board on June __, 2014, authorizing this Series of Bonds.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in connection with the issuance of this Bond and the other

bonds of this series, existed, have happened and have been performed in due time, form and manner as required by the Constitution and statutes of the State of Michigan, and that the total indebtedness of the Township, including this Bond, does not exceed any constitutional limitation.

IN WITNESS WHEREOF, the Township Board of Genoa Charter Township, Livingston County, Michigan, has caused this Bond to be executed in its name with the facsimile signatures of its Supervisor and its Clerk as of the Date of Issuance.

GENOA CHARTER TOWNSHIP

By: _____
Its: Supervisor

By: _____
Its: Clerk

CERTIFICATE OF AUTHENTICATION

This Bond is designated "Genoa Charter Township Capital Improvement Bond (Oak Pointe Sewer System Project), Series 2014."

_____, as
Bond Registrar and Authenticating Agent

By: _____
Its: Authorized Signer

ASSIGNMENT

For value received, the undersigned sells, assigns and hereunder and hereby irrevocably appoints attorney to transfer this Bond on the books kept for registration thereof with full power of substitution in the premises.

Dated: _____

Signature

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of this Bond in every particular.

Appendix B

Form of Official Notice of Sale

OFFICIAL NOTICE OF SALE

§ _____
**GENOA CHARTER TOWNSHIP
CAPITAL IMPROVEMENT BONDS
(OAK POINTE SEWER SYSTEM PROJECT), SERIES 2014
(Limited Tax General Obligation)**

SEALED BIDS: Sealed Bids for the purchase of the above designated bonds (the “Bonds”) will be received by the undersigned in the offices of Genoa Charter Township (the “Township”), 2911 Dorr Road, Brighton, MI 48116, on the ___ day of July 2014, until ___ o’clock __.m., at which time and place the bids will be publicly opened and read.

Sealed bids for the purchase of the Bonds will also be received on the same date and until the same time by an agent of the undersigned at the offices of the Municipal Advisory Council, Buhl Building, 535 Griswold, Suite 1850, Detroit, Michigan 48226 (facsimile (313) 963-0943).

Electronic bids will also be received on the same date and until the same time by Bidcomp/Parity as agent of the undersigned. Further information about Bidcomp/Parity, including any fee charged, may be obtained from Bidcomp/Parity, New York, New York, (212) 849-5021. IF ANY PROVISION OF THIS NOTICE OF SALE SHALL CONFLICT WITH INFORMATION PROVIDED BY BIDCOMP/PARITY, AS THE APPROVED PROVIDER OF ELECTRONIC BIDDING SERVICES, THIS NOTICE OF SALE SHALL CONTROL.

The award of the Bonds will be made by an Authorized Officer of the Township approximately one hour after the opening of the bids.

BOND DETAILS: The Bonds will be fully registered Bonds in any denomination of \$5,000 or any integral multiple thereof up to a single maturity, dated the date of delivery, numbered in order of authentication from 1 upwards, and will bear interest from their date payable on November 1, 2014, and semiannually thereafter.

The bonds will mature on the 1st day of November as follows:

| <u>Year</u> | <u>Principal Amount</u> | <u>Year</u> | <u>Principal Amount</u> |
|-------------|-------------------------|-------------|-------------------------|
| 2016 | \$ | 2027 | \$ |
| 2017 | | 2028 | |
| 2018 | | 2029 | |
| 2019 | | 2030 | |
| 2020 | | 2031 | |
| 2021 | | 2032 | |
| 2022 | | 2033 | |
| 2023 | | 2034 | |
| 2024 | | 2035 | |
| 2025 | | 2036 | |
| 2026 | | 2037 | |

TERM BOND OPTION: The initial purchaser of the Bonds may designate any one or more maturities as term bonds and the consecutive maturities which shall be aggregated in the term bonds.

Any such designation must be made at the time of submitting the bid for the Bonds. The amounts of the maturities which are aggregated in a designated term bond shall be subject to mandatory redemption on November 1 of the years and in the amounts as set forth in the foregoing maturity schedule at a redemption price of par, plus accrued interest to the date of mandatory redemption.

OPTIONAL REDEMPTION: Bonds maturing in the years 2016 to 2022, inclusive, shall not be subject to optional redemption prior to maturity. Bonds maturing on or after November 1, 2023 are subject to optional redemption in whole or in part in such order as the Township shall determine, on any date on or after November 1, 2022 at par plus accrued interest to the redemption date.

With respect to partial redemptions, any portion of a Bond outstanding in a denomination larger than the minimum authorized denomination may be redeemed provided such portion and the amount not being redeemed each constitutes an authorized denomination. If less than the entire principal amount of a Bond is called for redemption, upon surrender of the Bond to the Bond Registrar, the Bond Registrar shall authenticate and deliver to the registered owner a new Bond in the principal amount of the principal portion not being redeemed.

Notice of redemption shall be sent to the registered holder of each Bond being redeemed by first class United States mail at least 30 days before the date fixed for redemption, which notice shall fix the date of record with respect to the redemption. Any defect in any notice of redemption shall not affect the validity of the redemption proceedings. Bonds so called for redemption shall not bear interest after the date fixed for redemption provided funds or sufficient government obligations then are on deposit with the Bond Registrar to redeem such Bonds.

INTEREST RATE AND BIDDING DETAILS: The Bonds shall bear interest at a rate or rates not exceeding six percent (6.00%) per annum, to be fixed by the bids for the Bonds, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one Bond shall be at one rate only, and all Bonds maturing in any one year must bear the same interest rate. Bonds maturing in any one year shall not bear an interest rate lower than the interest rate in any preceding year. No Bond may bear interest at a rate that is more than three and one-half (3.5) percentage points above the rate borne by any other Bond. No proposal for the purchase of less than all of the Bonds, or at a price less than 99.5% or more than 102% of their par value, will be considered.

BOND REGISTRAR AND DATE OF RECORD: U.S. Bank National Association, Detroit, Michigan, has been selected as Bond Registrar for the Bonds. The Bond Registrar will keep records of the registered holders of the Bonds, serve as transfer agent for the Bonds, authenticate the original and any re-issued Bonds and will pay interest by check or draft mailed to the registered holders of the Bonds as shown on the records of the Bond Registrar on the applicable date of record. The date of record for each interest payment shall be the 15th day of the month before such payment is due. Principal of the Bonds will be paid at maturity upon presentation and surrender thereof to the Bond Registrar. The Township may designate a new transfer agent by notice mailed to the registered holders of the Bonds not less than sixty (60) days prior to any change in transfer agent.

BOOK-ENTRY-ONLY: The Bonds will be issued in book-entry-only form as one fully registered bond per maturity and will be registered in the name of Cede & Co., as bondholder and

nominee for The Depository Trust Company (“DTC”), New York, New York. DTC will act as securities depository for the Bonds. Purchase of the Bonds will be made in book-entry-only form, in the denomination of \$5,000 or any multiple thereof. Purchasers will not receive certificates representing their interest in Bonds purchased. It will be the responsibility of the purchaser to obtain DTC eligibility. Failure of the purchaser to obtain DTC eligibility shall not constitute cause for a failure or refusal by the purchaser to accept delivery of and pay for the Bonds.

PURPOSE AND SECURITY: The Bonds are to be issued pursuant to Act No. 34, Public Acts of Michigan, 2001, as amended (the “Act”), for the purpose of financing improvements to the Township’s Oak Pointe wastewater treatment and transmission system (the “Project”), funding a capitalized interest reserve and paying the costs of issuance of the Bonds. The principal of and interest on the Bonds shall be payable from revenue generated from the debt service charges paid by users of the Township’s Oak Pointe wastewater system. In the event that the revenue from the debt service charges is not sufficient the Township intends to use the reserve funds and/or the operation and maintenance funds from the Township’s Oak Pointe wastewater system to pay the debt service on the Bonds. Additionally, the Township has pledged its limited tax full faith and credit as additional security for the payment of the principal of and interest on the Bonds. Pursuant to such pledge, should other revenue be insufficient to pay the principal of and interest on the Bonds, the Township has agreed to pay the principal of and interest on the Bonds as a first budget obligation from its general funds, including the collection of any ad valorem taxes which the Township is authorized to levy, but any such levy shall be subject to applicable constitutional, charter and statutory tax rate limitations.

GOOD FAITH: A good faith deposit in the amount of \$_____ (or 1% of the adjusted par amount of the Bonds) must be submitted to the Township or its municipal advisor in the form of a cashier’s check, certified check or by wire transfer (in accordance with instructions from the Township or its municipal advisor) not later than 12:00 noon, Eastern Time, on the next business day following the award of the Bonds. If the purchaser fails to honor its accepted bid, the good faith deposit will be retained by the Township. No interest will be allowed on good faith deposits. The good faith check of the successful bidder will be cashed, and the proceeds will be applied to the purchase price of the Bonds. Payment of the balance of the purchase price shall be made at closing.

AWARD OF BONDS: The Bonds will be awarded to the bidder whose bid produces the lowest true interest cost determined in the following manner: the lowest true interest cost will be the single interest rate (compounded on November 1, 2014, and semiannually thereafter) necessary to discount the debt service payments from their respective payment dates to the estimated date of delivery of the Bonds (August __, 2014), in an amount equal to the price bid, excluding accrued interest. Each bidder shall state in its bid the true interest cost to the Township, compounded in the manner specified above.

LEGAL OPINION: Bids shall be conditioned upon the approving opinion of Dykema Gossett PLLC, Lansing, Michigan (“Bond Counsel”), an original of which will be furnished without expense to the purchaser of the Bonds at the delivery thereof. The fees of Dykema Gossett PLLC for services rendered in connection with such approving opinion are expected to be paid from Bond proceeds. Except to the extent necessary to issue its approving opinion as to validity of the above Bonds, Bond Counsel has not been requested to examine or review and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the Bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials.

TAX MATTERS: In the opinion of Bond Counsel, assuming compliance with certain covenants, (i) interest on the Bonds is excluded from gross income for federal income tax purposes, as described in Bond Counsel’s opinion, and (ii) the interest on the Bonds is excluded from taxable income for purposes of the State of Michigan personal income tax.

QUALIFIED TAX EXEMPT OBLIGATIONS: The Township has designated the Bonds as “qualified tax exempt obligations” for purposes of deduction of interest expense by financial institutions pursuant to the provisions of the Internal Revenue Code.

CERTIFICATE REGARDING “ISSUE PRICE”: The successful bidder will be required to furnish, prior to the delivery of the Bonds, a certificate in a form acceptable to bond counsel as to the “issue price” of the Bonds within the meaning of Section 1273 of the Internal Revenue Code of 1986, as amended. In addition, if the successful bidder will obtain a municipal bond insurance policy or other credit enhancement for the Bonds in connection with the original issuance of the Bonds, the successful bidder will be required, as a condition of delivery of the Bonds, to certify whether the premium therefor will be less than the present value of the interest expected to be saved as a result of such insurance or other credit enhancement. The form of an acceptable certificate will be provided by bond counsel.

OFFICIAL STATEMENT: A copy of the Official Statement with respect to the Bonds (the “Official Statement”) may be obtained by contacting Public Financial Management, Inc. at the address and telephone number listed in the ADDITIONAL INFORMATION paragraph below. The Official Statement is in a form deemed final as of its date by the Township for purposes of SEC Rule 15c2-12, but is subject to revision, amendment and completion of a final Official Statement. The successful bidder shall supply to the Township, within twenty-four hours after the award of the Bonds, all pricing information and any underwriter identification determined by bond counsel to be necessary to complete the Official Statement.

The Township will furnish to the successful bidder, at no cost, 100 copies of the Official Statement within seven business days after the award of the Bonds. Additional copies will be supplied upon the bidder’s agreement to pay to the Township the cost for those additional copies.

The Township shall deliver, at closing, an executed certificate to the effect that as of the date of delivery the information contained in the Official Statement, including revisions, amendments and completions as necessary, relating to the Township and the Bonds is true and correct in all material respects, and that such Official Statement does not contain any untrue statement of a material fact or

omit to state a material fact necessary to make the statements therein, in light of the circumstances under which they were made, not misleading.

CONTINUING DISCLOSURE: As more fully described in the Official Statement, the Township has agreed in its Continuing Disclosure Undertaking to provide or cause to be provided, in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, (i) on or prior to the 180th day after the end of the Township's fiscal year, certain annual financial information and operating data, including audited financial statements for the preceding fiscal year, generally consistent with the information contained or cross-referenced in the Official Statement relating to the Bonds, (ii) timely notice of the occurrence of certain material events with respect to the Bonds, and (iii) timely notice of a failure by such entity to provide the required annual financial information on or before the date specified in (i) above.

BOND INSURANCE AT PURCHASER'S OPTION: If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the bidder/purchaser, the purchase of any such insurance policy or the issuance of any such commitment shall be at the sole option and expense of the purchaser of the Bonds. Any increased costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the purchaser. Failure of the municipal bond insurer to issue such policy after the Bonds have been awarded to the purchaser shall not constitute cause for failure or refusal by the purchaser to accept delivery of the Bonds from the Township.

CUSIP NUMBERS: CUSIP identification numbers will be printed on the Bonds at the Township's expense, but neither the failure to print the numbers nor any error with respect thereto shall constitute cause for refusal by the purchaser to accept delivery of the Bonds. The CUSIP Service Bureau charge for the assignment of numbers shall be the responsibility of and paid for by the purchaser of the Bonds.

DELIVERY OF BONDS: The Township will furnish Bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser through the services of DTC. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the Bonds, will be delivered at the time of delivery of the Bonds. Payment for the Bonds shall be made in Federal Reserve Funds. If the Bonds are not tendered for delivery by twelve o'clock noon, Eastern Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder may on that day, or any time thereafter until delivery of the Bonds, withdraw its proposal by serving notice of cancellation, in writing, on the undersigned in which event the Township shall promptly return the good faith deposit. Payment for the Bonds shall be made in Federal Reserve Funds. Accrued interest to the date of delivery of the Bonds shall be paid by the purchaser at the time of delivery.

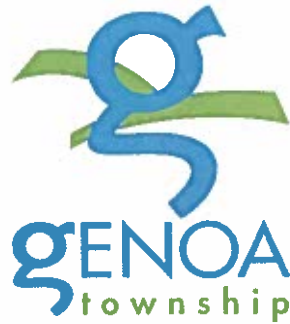
ADDITIONAL INFORMATION: Additional information may be obtained from the Township's municipal advisor, Public Financial Management, 305 E. Eisenhower Parkway, Suite 112, Ann Arbor, Michigan 48108 (telephone (734) 994-9700; facsimile (734) 994-9710).

THE TOWNSHIP RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS.

ENVELOPES containing the bids should be plainly marked “Proposal for Genoa Charter Township Capital Improvement Bonds (Oak Pointe Sewer System Project), Series 2014.”

Gary McCrie
Genoa Charter Township Chairman

LAN01\347529.2
IDJPK - 070280\0030



MEMO

TO: Genoa Township Board

FROM: Michael C. Archinal, Township Manager *Michael C. Archinal*

DATE: June 11, 2014

RE: 2014 Sidewalk Contract

Please find attached two proposals from Concrete Construction for the installation of sidewalks. The first section is from Latson to Sunrise Park. Existing asphalt sections will be removed and replaced with concrete. The second section is from Grand Oaks east to 3600 East Grand River (SWAT). This portion is in conjunction with a crosswalk that will be installed at Pier One.

Tetra Tech has received the proposals and prices are within estimates and budgets. We have enjoyed an excellent relationship with Concrete Construction and recommend acceptance of both proposals.

Please consider the following action: Moved by _____, supported by _____, to approve proposals from Concrete Construction in the amounts of \$27,752.83 and \$122,802.67.

CONCRETE CONSTRUCTION, INC.

Proposal

CONCRETE CONSTRUCTION, INC.
P.O. BOX 256
HOWELL MI 48844
517-223-7594
517-223-8422 fax

06/11/2014
Joe Siwik
Tetra Tech
Genoa Township
Good For:30 Days
PROJECT
South side of Grand River

Joe Siwik

We propose to furnish all material and perform all labor necessary to complete the construction of the following listed items and quantities:

| | | QUAN. | UNIT PRICE | PRICE |
|------------------------------------|----------|-------|--------------|--------------------|
| Driveway removal and prep | SQ. FT. | 693 | \$3.70 | \$2,564.66 |
| Miscellaneous | LUMP SUM | 1 | \$2,467.40 | \$2,467.40 |
| Restoration | SQ. FT. | 2420 | \$0.67 | \$1,616.00 |
| Excavate for sand and CIP 4" sand | SQ. FT. | 4840 | \$0.50 | \$2,425.98 |
| 4" and 6" Concrete sidewalk | SQ. FT. | 4840 | \$3.09 | \$14,971.16 |
| Replace Driveways | SQ. FT. | 672 | \$2.74 | \$1,843.43 |
| Remove and replace curb and gutter | LN. FT. | 60 | \$31.07 | \$1,864.20 |
| | | | total | \$27,752.83 |

Included

Miscellaneous

- ADA plaques to match existing plaques in the area
- CMP with flared end sections
- Silt fence clean ditches and restore
- Export all spoils and removals off site to an authorized dummpsite
- Barricades and traffic Control Using traffic control from north side
- MDOT P-1 concrete
- Form and place sidewalk and curb and gutter
- One coat of curing compound for all concrete interior and exterior
- Restoration of all distubed areas includes topsoil seed and mulch watering if necessary for grass to start
- Saw cut curb and gutter wide enough to recieve new ADA ramp remove and replace matching existing curb and gu
- Dowel into existing Curb and gutter
- Epoxy coated #4 bars for Curb and Gutter

Excluded

- Layout for alignment or elevation
- Permits and or testing

We propose to furnish material and labor, complete in accordance with above specifications, for the sum of..... \$27,752.83 Dollars

Payments to be made as follows: NET, TENTH OF THE MONTH FOLLOWING COMPLETED WORK (PARTIAL OR FULL) RETENTION'S HELD OVER 60 DAYS FROM COMPLETED WORK WILL BE SUBJECT TO A FINANCE CHARGE OF 12% ANNUAL INTEREST RATE AND THE AMOUNT SHALL BECOME APART OF THIS AGREEMENT.

Contractor's signature: _____

Date:

Work shall not commence without a signed agreement and copy of Notice Of Commencement.

Acceptance of proposal - The above price, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Owner's signature: _____

Date:

CONCRETE CONSTRUCTION, INC.

Proposal

CONCRETE CONSTRUCTION, INC.
P.O. BOX 256
HOWELL MI 48844
517-223-7594
517-223-8422 fax

06/11/2014
Joe Siwik
Tetra Tech
Genoa Township
Good For 30 Days
PROJECT
North side of Grand River

Joe Siwik
We propose to furnish all material and perform all labor necessary to complete the construction of the following listed items and quantities:

| | | QUAN. | UNIT PRICE | PRICE |
|------------------------------------|----------|-------|-------------|--------------|
| Remove asphalt | SQ. FT. | 11472 | \$0.51 | \$5,877.63 |
| Miscellaneous Restoration | LUMP SUM | 1 | \$18,000.60 | \$18,000.60 |
| Excavate for sand and CIP 4" sand | SQ. FT. | 8825 | \$0.73 | \$6,455.32 |
| 4" and 6" Concrete sidewalk | LUMP SUM | 1 | \$10,801.23 | \$10,801.23 |
| Replace Driveways | SQ. FT. | 21549 | \$3.09 | \$66,656.46 |
| Remove and replace curb and gutter | SQ. FT. | 3571 | \$2.74 | \$9,795.97 |
| | LN. FT. | 179 | \$29.14 | \$5,215.46 |
| | | | total | \$122,802.67 |

Included

Miscellaneous

- ADA plaques to match existing plaques in the area
- CMP with flared end sections 12" and 15"
- Silt fence
- Inlet structure and new cover
- Rip Rap

Export all spoils and removals off site to an authorized dummiesite

Barricades and traffic Control

MDOT P-1 concrete

Form and place sidewalk and curb and gutter

One coat of curing compound

Restoration of all disturbed areas includes topsoil seed and mulch watering if necessary for grass to start

Saw cut curb and gutter wide enough to receive new ADA ramp remove and replace matching existing curb and g

Dowel into existing Curb and gutter

Epoxy coated #4 bars for Curb and Gutter

Replace Driveways 3" of asphalt

Excluded

Layout for alignment or elevation

Permits and or testing

We propose to furnish material and labor, complete in accordance with above specifications, for the sum of..... \$122,802.67 Dollars

Payments to be made as follows: NET, TENTH OF THE MONTH FOLLOWING COMPLETED WORK (PARTIAL OR FULL) RETENTION'S HELD OVER 60 DAYS FROM COMPLETED WORK WILL BE SUBJECT TO A FINANCE CHARGE OF 12% ANNUAL INTEREST RATE AND THE AMOUNT SHALL BECOME APART OF THIS AGREEMENT.

Contractor's signature: _____

Date:

Work shall not commence without a signed agreement and copy of Notice Of Commencement.

Acceptance of proposal - The above price, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Owner's signature: _____

Date:



2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

June 5, 2014

RE: Suburban Mobile Estates Clean-up

Dear Suburban Mobile Estate Resident,

Due to a larger than expected turnout and to offer additional assistance with the Genoa Township Litter Ordinance, we are sponsoring an another clean-up day in your neighborhood on Saturday, June 14, 2014. Three, 30-yard dumpsters will be provided for your use at a central location on Twin Beach Road for a period starting around 8:00 a.m. and lasting until 5:00 p.m. During this period residents of Suburban Mobile Estates (only) will be able to use the dumpsters to deposit litter located on their property.

The previous clean-up day on May 31 was very successful and we would like to thank the residents of Suburban Mobile Estates who participated. This is an additional opportunity for property owners and leaseholders in your neighborhood to voluntarily comply with the Litter Ordinance. Litter Ordinance violations will not be pursued until after June 14, 2014.

We hope you find the availability of these dumpsters useful in your clean-up efforts. It is our policy to work with residents in order to promote voluntary compliance with our ordinances. Please note that this opportunity is for the residents of Suburban Mobile Estates only. Please feel free to stop in to Genoa Township Hall, call us at 810-227-5225 or e-mail me at ron@genoa.org with any questions or comments.

Sincerely,

Ron Akers
Zoning Official
Genoa Township

Cc: Genoa Township Board of Trustees

SUPERVISOR

Gary T. McCririe

CLERK

Paulette A. Skolarus

TREASURER

Robin L. Hunt

MANAGER

Michael C. Archinal

TRUSTEES

H. James Mortensen

Jean W. Ledford

Todd W. Smith

Linda Rowell



MEMORANDUM

TO: Planning Commission
FROM: Ron Akers, Zoning Official
DATE: 5-22-14
RE: 2013 Zoning Board of Appeals Annual Report

Please find attached to this memo the 2013 ZBA annual report. The purpose of this report is to make the Planning Commission aware of the activities of the Zoning Board of Appeals, including the amount and types of variances that have been granted over the year. Making the Planning Commission aware of the different types of variances that were granted over the past year can help to identify potential issues with the Zoning Ordinance and create points of discussion during updates to the Zoning Ordinance. This year-end report is not a statutory requirement, but we felt that it was appropriate in order to maintain effective communication between the two boards. Should any member have additional questions please feel free to contact me at Township Hall.

2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

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2013 Zoning Board of Appeals Annual Report

2911 Dorr Road
Brighton, MI 48116
810.227.5225
810.227.3420 fax
genoa.org

Summary:

The purpose of the Zoning Board of Appeals (ZBA) Annual report is to summarize and identify the activities completed by the ZBA over the calendar year. Identifying the number and types of variances that were granted over the year can provide guidance to the Planning Commission and Township Board of Trustees when making future land use decisions. The primary activities that were handled by the Zoning Board of Appeals in 2013 were hearing variance requests and drafting and adopting Rules of Procedure.

Variances

During 2013 the Zoning Board of Appeals heard twenty-eight (28) requests for variances. These can be broken down as follows:

- 28 Total Variance Requests
 - 21 Approved, 6 Denied, 1 Variance Not Required
- 13 Variance on Properties with Lake Frontage
 - 12 Approved, 1 Denied
- Breakdown by Type
 - 6: New Single Family Homes
 - 6 Approved, 0 Denied
 - 5 Lake Front
 - 4: Residential Addition
 - 4 Approved, 0 Denied
 - 4 Lake Front
 - 5: Detached Accessory Buildings
 - 1 Approved, 4 Denied
 - 1 Lake Front
 - 2: Commercial Additions
 - 2 Approved, 0 Denied
 - 6: Signs
 - 5 Approved, 1 Denied
 - 1: Fence
 - 1 Variance Not Needed
 - 2: Improvements to Non-Conforming Structure in Excess of 10%
 - 1 Approved, 1 Denied (Same property)
 - 2 Lake Front
 - 2: Decks
 - 2 Approved, 0 Denied
 - 1 Lake Front

Please see attached case summaries for more information about specific cases.

Rules of Procedure

The purpose of the rules of procedure is similar to the Planning Commission By-laws. They establish guidelines for the procedural aspects of the ZBA including membership, election of officers, public hearing rules, responsibilities of township staff and members of the ZBA and they establish guidelines for handling conflict of interest. This document was adopted in January of 2014 and is available for review.

SUPERVISOR

Gary T. McCrie

CLERK

Paulette A. Skolaris

TREASURER

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2013 ZBA Case Summaries

JANUARY

Variance: 1

Case: 13-01

Applicant Name: Christian and Damian Karch

Address: 5400 Brady Road

Type of Variance: Construction of a detached accessory building in front yard

Lakefront: No

Decision: Denied

Why? Conditions? Ample room on the lot; no practical difficulty.

Variance: 2

Case: 13-02

Applicant Name: Champion Buick GMC

Address: 7885 W. Grand River

Type of Variance: Front yard variance to construct an addition to a non-conforming building

Lakefront: No

Decision: Approved

Why? Conditions? Variance of 13.7 feet with a Grand River side setback of 56.3 feet granted. The finding of fact is the building was non-conforming after the Zoning Ordinance changed.

Variance: 3

Case: 13-03

Applicant Name: Genoa Charter Township

Address: 2911 Dorr Road

Type of Variance: Sign

Lakefront: No

Decision: Approved

Why? Conditions? An 8-foot variance with a 14 foot height and a 257 foot area variance amount for a sign area of 329 feet. The finding of fact is the configuration of the property and the ability to not be able to place a sign on the exit ramp.

Variance: 4

Case: 13-04

Applicant Name: Blair Bowman

Address: 4252 Highcrest

Type of Variance: Front yard and waterfront

Lakefront: Yes

Decision: Approved

Why? Conditions? Front yard variance of 15 feet with a setback of 20 feet and a waterfront variance of 2 feet with a setback of 73 feet. The finding of fact is the topography and conditions of the lot.

Variance: 5

Case: 12-27

Applicant Name: Joe Aguis

Address: 5311 Brighton Road

Type of Variance: Sign variance

Lakefront: No

Decision: Approved

Why? Conditions? A 1-foot variance for a 7-foot-tall sign. The finding of fact is the sight distance and visibility from the road.

FEBRUARY

Variance: 6

Case: 13-06

Applicant Name: Angela Nieves-Valentine

Address: 3837 E. Coon Lake Road

Type of Variance: Height variance for a fence

Lakefront: No

Decision: Variance not needed

Why? Conditions? The ZBA interprets the fence is built in the side yard.

MARCH

Variance: 7

Case: 13-05

Applicant Name: Brett Gierak

Address: 921 Sunrise Park

Type of Variance: Side and rear yard variance for an addition

Lakefront: Yes

Decision: Approved

Why? Conditions? The finding of fact is the lack of zoning predated the construction of the house. The practical difficulty is due to the location of the utility lines and the sewer line.

Variance: 8

Case: 13-07

Applicant Name: Charles Horan

Address: 1828 Hughes Road

Type of Variance: Front, waterfront and side yard variance to construct a garage addition and a second story addition

Lakefront: Yes

Decision: Approved

Why? Conditions? Allowed to construct a second story that will match the existing footprint with a 4-foot-4-inch side yard extension. Conditions: Must remove the garage from the plans and the addition must have gutters and downspouts. The finding of the fact is the narrowness of the lot and pre-existing house where it is built in regards to the current zoning.

April

Variance: 9

Case: 13-08

Applicant Name: Champion Buick

Address: 7885 W. Grand River

Type of Variance: Sign

Lakefront: No

Decision: Approved

Why? Conditions? Additional sign allowed with the square footage being less than two allowed per the Township Ordinance. The practical difficulty is it will improve the visibility and sign distance of the site. Conditioned upon the following:

1. The drawings provided indicate that the "Champion" and "Certified Service" signs will be channel letters and the "Buick GMC" sign will be a unibody sign. The letters themselves will be black or white in color.
2. The plans indicate that the signs require circuits and will be lit.
3. The wall signs will be allowed to project up to 1-foot beyond the face of the wall.

Variance: 10

Case: 13-10

Applicant Name: Jeff Gontarski

Address: 4401 Filbert

Type of Variance: Front yard variance to build a new home

Lakefront: Yes

Decision: Approved

Why? Conditions? Front yard variance of 25 feet with a setback of 10 feet approved. Conditioned upon the home being guttered. The practical difficulty is the topography of the land.

Variance: 11

Case: 13-11

Applicant Name: Art Van Furniture

Address: 4101 E. Grand River

Type of Variance: Sign

Lakefront: No

Decision: Denied

Why? Conditions? No practical difficulty.

MAY

Variance: 12

Case: 13-09

Applicant Name: Leo and Karen Mancini

Address: 4057 Homestead Road

Type of Variance: Two side yard variances to construct an attached garage

Lakefront: Yes

Decision: Approved

Why? Conditions? Given a 5-foot-6-inch variance on both sides with a 4-foot-6-inch setback on both sides. Conditioned upon the garage being guttered. The practical difficulty is the narrowness of the lot.

Variance: 13
Case: 13-12
Applicant Name: Robert Morrison
Address: 3699 Nixon Road
Type of Variance: Pole barn on a vacant lot
Lakefront: No
Decision: Denied
Why? Conditions? No practical difficulty.

JUNE

Variance: 14
Case: 13-13
Applicant Name: Curt Brown
Address: 4010 Homestead
Type of Variance: Front yard variance and a waterfront variances to replace an existing garage
Lakefront: Yes
Decision: Approved
Why? Conditions? Given a 25-foot shoreline variance with a 15-foot setback, front yard variance of 27 feet with an 8-foot setback, an accessory building size variance of 442 feet from the 900 feet allowed and an accessory building height variance of 6-foot-6-inches from the 14 feet allowed. Conditioned upon the structure being guttered and having downspouts and any grading issues should be addressed and satisfactorily dealt with by the petitioner. The practical difficulty is the topography of the lot and the difficulty to construct on the lot.

Variance: 15
Case: 13-15
Applicant Name: Ronald Socia
Address: 3950 Highcrest Drive
Type of Variance: Home improvements/modernization to non-conforming structures in excess of 10% of its replacement value
Lakefront: Yes
Decision: Approved
Why? Conditions? Can make improvements and modifications on the interior and exterior of the home to a nonconforming structure. Conditioned upon the structures including gutters and downspouts, no improvements shall be made to increase the footprint or height of the structures and the structure shall not be used as rentals. The practical difficulty is the uniqueness of the property.

Variance: 16
Case: 13-16
Applicant Name: Janine and James Exline
Address: 4009 Highcrest Drive
Type of Variance: Side yard
Lakefront: Yes
Decision: Approved
Why? Conditions? Given a 2.25-foot side yard setback with a 2.75-foot variance and an 8.15-foot setback on the west side with a 1.85-foot variance. Conditioned upon the structure including gutters and

downspouts. The practical difficulty is the narrowness of the lot and the continuing narrowness toward the road side.

JULY

Variance: 17

Case: 13-17

Applicant Name: Thomas and Diana Fleming

Address: 4049 Homestead

Type of Variance: Side yard

Lakefront: Yes

Decision: Approved

Why? Conditions? Approved a side yard setback variance of 5 feet and a waterfront setback variance of 16.5 feet for the construction of a new home. Conditions placed on the approval are that the structure is to have gutters and downspouts installed and that any grading and drainage issues should be addressed and satisfactorily dealt with by the petitioner. The practical difficulty is the topography and narrowness of the lot.

Variance: 18

Case: 13-18

Applicant Name: Mary Dean and Jeff Barringer

Address: 5359 Wildwood Drive

Type of Variance: Front yard setback variance and a water front setback variance for the construction of a single family home

Lakefront: Yes

Decision: Approved

Why? Conditions? Approved a 19.9 foot front yard setback variance and a 17.7-foot waterfront setback variance for the construction of a new home. Based on the practical difficulty of a small building envelope and the narrowness of the platted subdivision. Conditioned upon the structure having gutters and downspouts, grading or drainage issues should be addressed and satisfactorily dealt with by the petitioner. If there is damage to the fence and arborvitae plants, they are to be replaced by the expense of the petitioner.

AUGUST

Variance: 19

Case: 13-19

Applicant Name: Bob Maxey Ford

Address: 2798 E. Grand River

Type of Variance: Front yard setback and parking lot

Lakefront: No

Decision: Approved

Why? Conditions? Approved a front yard setback variance of 5 feet and parking lot variance of 7 feet on the rear property line based on the following finding of facts:

1. Strict compliance with the front yard setback requirement would limit the ability of the property owner to construct an addition which maintains a consistent front building line with the existing main building;
2. The area within the rear lot line parking lot setback is already developed as a parking area and the proposed 6-foot masonry screening wall will adequately mitigate the impact the proposed changes to the site plan will have on the adjacent residential properties;
3. The need for the variance is not self-created;

4. According to the Planner's Report, the proposed variance will not impair public safety or welfare;
5. There will be little if any impact on the surrounding neighborhood. The front yard variance will provide for a consistent appearance on the Grand River corridor and the proposed 6-foot masonry screening wall will mitigate the impacts of the extended parking lot.

Variance: 20

Case: 13-20

Applicant Name: Zion Restoration

Address: 6518 Catalpa

Type of Variance: Side yard for an addition

Lakefront: No

Decision: Approved

Why? Conditions? Approved a 14-foot side yard variance due to the addition having little impact on the adjacent properties. The addition will be the same distance from the side property line as the attached garage.

The hardship is the property is zoned LDR (Low Density Residential) and was created under less strict zoning requirements. The lot size and building were made non-conforming by the current zoning requirements. The pie shaped lot has limitations. The variance is not self-created.

Conditioned upon the home and garage being guttered.

Variance: 21

Case: 13-21

Applicant Name: Thomas and Donna Phelps

Address: 4470 Clifford Road

Type of Variance: Side yard setback and deck extension

Lakefront: Yes

Decision: Approved

Why? Conditions? Approved a 2-foot side yard variance and a 3-foot variance from the rear distance line.

The Finding of Fact is the side yard variance will comply with the current building and is not self-created.

The proposed deck will reduce the non-conformity of the deck.

SEPTEMBER

Variance: 22

Case: 13-23

Applicant Name: Charles Denning

Address: Parcel ID 4711-10-301-029 on East Grand River

Type of Variance: Add a carport to property without a principle building

Lakefront: No

Decision: Denied

Why? Conditions? ZBA based decision on the finding of fact that there is no allowance for additional structures on properties without principle building.

Variance: 23

Case: 13-24

Applicant Name: Bob Maxey Ford

Address: 2798 E. Grand River

Type of Variance: To increase allowable wall sign square footage from 150 square feet to 169 square feet and to install two (2) additional wall signs which will exceed the maximum number of allowable wall signs by three (3) for a total of five (5) wall signs on the building

Lakefront: No

Decision: Approved

Why? Conditions? Approved a variance of 19 square feet of allowable wall sign area and for two additional wall signs with the finding of fact that the length of the building and the speed of traffic on Grand River Avenue requires additional signage to safely guide traffic in and out of the property.

Variance: 24

Case: 13-25

Applicant Name: Jane and Randy Evans

Address: 4444 Glen Eagles Court

Type of Variance: Variance from the deck setback requirement between condominium units to extend an existing deck

Lakefront: No

Decision: Approved

Why? Conditions? Given a 4-foot variance to extend a deck which is located between two condominium units based on the findings of fact that the condominium was built in 1996 and at the time did not meet the standard set forth in Section 11.04.02(b), the need for the variance was not self-created by the applicant, the layout and design of the building created a need for the variance. Granting this variance will make the property consistent with other properties in the area.

OCTOBER

Variance: 25

Case: 13-27

Applicant Name: Robert Socia

Address: 3950 Highcrest

Type of Variance: Wanted modification of the variance granted on June 18, 2013 in order to remove the condition that limits the applicant's ability to increase the height of the structure

Lakefront: Yes

Decision: Denied

Why? Conditions? ZBA denied request due to the existing condition stipulated in prior approval on June 18, 2013 for case #13-15 which limited the applicant's ability to increase the height of the structure.

NOVEMBER

Variance: 26

Case: 13-26

Applicant Name: Oren and Jill Lane

Address: 623 Sunrise Park

Type of Variance: Both side yard setbacks, the front yard setback, the shoreline setback, and the maximum building height

Lakefront: Yes

Decision: Approved

Why? Conditions? Given a front yard variance of 25 feet with a 10-foot setback, 3-foot variance on both sides with 7-foot setback on both sides, 2-foot height variance and a 4-foot waterfront variance.

Conditioned upon the new home having gutters with downspouts. The finding of fact is the narrowness of the lot; the variances are not self-created and the topography of the lot.

DECEMBER

Variance: 27

Case: 13-28

Applicant Name: Steve Gronow

Address: 3800 Chilson Road

Type of Variance: Maximum allowable size of a detached accessory building

Lakefront: No

Decision: Denied

Why? Conditions? No finding of practical difficulty

Variance: 28

Case: 13-29

Applicant Name: Steve Schenck

Address: 4072 E. Grand River; other street addresses at this property include: 4050, 4072, 4080, 4084, 4092, 4096, 4104, 4116, 4128, 4132, 4140, 4144, 4148, and 4160.

Type of Variance: Temporary sign and exceed time sign is allowed and number of time sit is used.

Lakefront: No

Decision: Approved

Why? Conditions? The finding of fact is that the location of this is a busy location where traffic is very fast. So those passing cannot see the services advertised. It is a seasonal business and therefore, very limited. This does not injure or affect the safety or welfare of the public or neighborhood.

Mike Archinal

From: Laura Kidd Wildman <notification+kjdmh3jhmhv_@facebookmail.com>
Sent: Wednesday, June 11, 2014 3:25 PM
To: Friends of Genoa Township
Subject: [Friends of Genoa Township] I absolutely LOVE, LOVE, LOVE the recycling...

Laura Kidd Wildman posted in Friends of Genoa Township



Laura Kidd Wildman

3:24pm Jun 11

I absolutely LOVE, LOVE, LOVE the recycling program Genoa Township has in place. It's so convenient - as a result we have more in our recycle bin every Monday than in our garbage can. It has really made a difference and I just wanted to say THANK YOU!!



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