

FIRST DRAFT OF HAMPTON TOWNSHIP DOWNTOWN DEVELOPMENT
AUTHORITY ORDINANCE

ORDINANCE NUMBER ~~46~~ 47

CHARTER TOWNSHIP OF HAMPTON
DOWNTOWN DEVELOPMENT AUTHORITY ORDINANCE

AN ORDINANCE TO CREATE A DOWNTOWN DEVELOPMENT AUTHORITY FOR THE CHARTER TOWNSHIP OF HAMPTON AND TO DESIGNATE THE BOUNDARIES OF SAID DOWNTOWN DISTRICT, PURSUANT TO ACT NUMBER 197 OF THE PUBLIC ACTS OF 1975 OF THE STATE OF MICHIGAN.

Section 1. Title. This Ordinance shall be known and may be cited as "The Downtown Development Authority Ordinance" of the Charter Township of Hampton.

Section 2. Definitions. The terms used in this Chapter shall have the same meaning as given to them in Public Act 197 of the Public Acts of 1975.

Section 3. Determination of Necessity. The Board of the Charter Township of Hampton hereby determines that it is necessary for the best interests of the Charter Township of Hampton to halt property value deterioration and increase property tax valuation where possible in the business district of the Charter Township of Hampton, to eliminate the causes of that deterioration and to promote economic growth by establishing a Downtown Development Authority, pursuant to Public Act 197 of the Public Acts of 1975, as amended.

Section 4. Creation of Authority. There is hereby created, pursuant to Act 197, a Downtown Development Authority for the Charter Township of Hampton, Bay County, Michigan. The Authority shall be a public body corporate and shall be known and exercise its powers under title of "Charter Township of Hampton Downtown Development Authority." The Authority may adopt a seal, may sue and be sued in any court of this State and shall possess all of the powers necessary to carry out the purpose of its incorporation as provided by this Ordinance and Act 197 of the Public Acts of 1975, as amended. The enumeration of a power in this Ordinance or in Act 197 shall not be construed as a limitation upon the general powers of the Authority.

Section 5. Governing Board of Authority. The Authority shall be under the supervision and control of a Board consisting of the Chief Executive Officer of the Charter Township of Hampton and not less than eight (8) or more than twelve (12) members, as determined by the governing Board of the municipality. Board members shall be appointed by the Supervisor of the Township, subject to the approval by the governing Body of Township, all in accordance with Section 4 of Public Act 197 of the Public Acts of 1975.

Section 6. Description of the Downtown District. The Downtown District in which the Authority shall exercise its powers as provided by Act 197 shall consist of the following described territory in the Charter Township of Hampton, Bay County, Michigan, subject to such changes as may hereinafter be made pursuant to this Ordinance and Act 197:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 26, T.14N., R. 6E. HAMPTON TOWNSHIP, BAY COUNTY, MICHIGAN SAID POINT BEING THE TRUE POINT OF BEGINNING, THENCE NORTH 40.5 FEET MORE OR LESS ALONG THE EAST LINE OF SECTION 26 T.14N., R.6E., THENCE WESTERLY 50 FEET MORE OR LESS TO THE NORTHERLY RIGHT-OF-WAY LINE OF YOUNGS DITCH ROAD, THENCE CONTINUING WESTERLY ALONG SAID RIGHT-OF-WAY TO THE EAST RIGHT-OF-WAY LINE OF THE CENTRAL RAILROAD BELT LINE, THENCE NORTH ALONG SAID EAST RIGHT-OF-WAY LINE TO THE NORTH RIGHT-OF-WAY LINE OF RIDGE ROAD THENCE EAST 628 FEET MORE OR LESS ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE EAST LINE OF SOCIERS SUBDIVISION EXTENDED, THENCE NORTH ALONG SAID LINE 2,130 FEET MORE OR LESS TO A LINE COMMON TO LOT 28 AND 29 SOCIERS SUBDIVISION, THENCE WEST ALONG SAID LINE TO THE EAST RIGHT-OF-WAY LINE OF POWELL AVENUE, THENCE SOUTH ALONG SAID EAST RIGHT-OF-WAY LINE 327.5 FEET MORE OR LESS THENCE WEST TO THE WEST LINE OF SOCIERS SUBDIVISION THENCE SOUTH ALONG SAID WEST LINE 733 FEET MORE FOR LESS, THENCE WESTERLY TO THE EAST 1/8 LINE OF SECTION 26, T.14N., R.6E., THENCE NORTHERLY ALONG SAID 1/8 LINE TO THE NORTH LINE OF HAMPTON HOUSE VILLAS PARCEL, THENCE WESTERLY 672.3 FEET MORE OR LESS ALONG SAID NORTH LINE TO THE EAST LINE OF MEIJER SQUARE PARCEL, THENCE SOUTH ALONG SAID EAST LINE TO THE SOUTH LINE OF MEIJER SQUARE PARCEL, THENCE WEST ALONG SAID SOUTH LINE 737.6 FEET MORE OR LESS TO THE WEST RIGHT-OF-WAY LINE OF SCHEURMANN ROAD, THENCE NORTH ALONG SAID WEST RIGHT-OF-WAY LINE 185 FEET MORE OR LESS TO THE NORTH LINE OF A 66 FEET WIDE EASEMENT, THENCE WEST ALONG SAID NORTH LINE TO THE EAST LINE OF EAST BAY VILLAGE APARTMENTS PARCEL, THENCE NORTH ALONG SAID EAST LINE 167.3 FEET MORE OR LESS TO THE NORTH LINE OF EAST BAY VILLAGE APARTMENTS PARCEL, THENCE WEST 469.6 FEET MORE OR LESS ALONG SAID NORTH LINE TO THE EAST RIGHT-OF-WAY OF THE BAY CITY BELT LINE RAILROAD, THENCE NORTH 378 FEET MORE OR LESS ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT ON THE NORTH LINE OF BLOCK 20 OF GREEN AVENUE ADDITION EXTENDED, THENCE WEST ALONG SAID NORTH LINE TO THE BAY CITY CITY LIMITS LINE, THENCE NORTHWESTERLY ALONG BAY CITY LIMITS LINE TO THE SOUTH RIGHT-OF-WAY LINE OF CENTER AVENUE, THENCE NORTHEASTERLY ALONG THE BAY CITY LIMITS LINE 2,147 FEET MORE OR LESS TO THE NORTHERLY BAY CITY LIMITS LINE, THENCE SOUTHEASTERLY ALONG SAID CITY LIMITS LINE EXTENDED TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF C & O RAILROAD RIGHT-OF-WAY, THENCE SOUTH ALONG SAID RIGHT-OF-WAY LINE TO THE SOUTH RIGHT-OF-WAY LINE OF FOURTH AVENUE THENCE EAST ALONG SAID RIGHT-OF-WAY LINE TO A POINT 183 FEET MORE OR LESS WEST OF THE WEST RIGHT-OF-WAY LINE OF LEDYARD STREET. THENCE SOUTH 303 FEET MORE OR LESS, THENCE EAST TO THE EAST RIGHT-OF-WAY LINE OF LEDYARD STREET, THENCE SOUTH TO A POINT 299.1 FEET MORE OR LESS NORTH OF THE NORTH RIGHT-OF-WAY LINE OF CENTER AVENUE, THENCE EAST TO THE EAST RIGHT-OF-WAY LINE OF HEAVENRIDGE STREET, THENCE SOUTH ALONG SAID EAST RIGHT-OF-WAY TO A POINT 307.8 FEET MORE OR LESS NORTH OF THE NORTH RIGHT-OF-WAY LINE OF CENTER AVENUE THENCE EAST TO THE EAST RIGHT-OF-WAY LINE OF SCHEURMANN ROAD, THENCE NORTH ALONG SAID EAST RIGHT-OF-WAY LINE TO A POINT 392.5 FEET NORTH OF THE NORTH RIGHT-OF-WAY LINE OF CENTER AVENUE, THENCE EAST 418.8 FEET

MORE OR LESS, THENCE SOUTH 165 FEET MORE OR LESS THENCE EAST TO THE EAST RIGHT-OF-WAY LINE OF POWELL ROAD THENCE CONTINUING EAST 400 FEET MORE OR LESS, THENCE NORTH 100 FEET MORE OR LESS, THENCE EAST TO THE WEST RIGHT-OF-WAY LINE OF PINE ROAD, THENCE NORTH ALONG SAID WEST RIGHT-OF-WAY LINE TO A POINT 924 FEET MORE OR LESS NORTH OF THE NORTH RIGHT-OF-WAY LINE OF CENTER ROAD, THENCE EAST 279.0 FEET MORE OR LESS, THENCE SOUTH 198.0 FEET MORE OR LESS, THENCE EAST 447.0 FEET MORE OR LESS, THENCE SOUTH TO THE NORTH LINE OF CENTER ROAD THENCE EAST ALONG SAID NORTH RIGHT-OF-WAY LINE 678.2 FEET MORE OR LESS TO THE WEST LINE OF CONSUMERS POWER PARCEL, THENCE SOUTH ALONG SAID WEST LINE TO THE SOUTH RIGHT-OF-WAY OF RIDGE ROAD THENCE WEST ALONG SAID SOUTH RIGHT-OF-WAYLINE TO THE EST LINE OF CONSUMERS POWER PARCEL, THENCE SOUTH ALONG SAID WEST LINE TO THE SOUTH LINE OF SECTION 25 T.14N.,R.6E., THENCE WEST ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING. EXCEPTING: THE NORTH 665.89 FEET OF THE WEST 664.46 FEET OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 25, TOWN 14 NORTH, RANGE 6 EAST, HAMPTON TOWNSHIP, COMMONLY KNOWN AS PINE VIEW APARTMENTS. ALSO EXCEPTING THE NORTH 350 FEET OF THE SOUTH 672.49 FEET OF THE WEST 700 FEET OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 25, TOWN 14 NORTH, RANGE 6 EAST, HAMPTON TOWNSHIP, COMMONLY KNOWN AS CENTER RIDGE ARMS APARTMENTS.

Section 7. Meetings.

1. Within thirty (30) days after the appointment of the Board of Downtown Development Authority, the Authority shall call a meeting. The meeting shall open with a call for an election of Board Officers which shall consist of the following officers: a Chairman, a Vice Chairman, a Treasurer, and a Secretary.

2. The Board shall adopt procedures to govern the conduct of its meetings and to define the duties of its officers and employees, which shall be submitted to the Township Board for approval prior to adoption by the Authority Board.

Section 8. Powers of the Authority. The Downtown Development Authority is to be controlled and regulated strictly by the Downtown Development Authority Act, being Act 197 of the Public Acts of 1975, as amended, and shall have all powers provided therein.

Section 9. Publication Requirements. Promptly after adoption of the Ordinance, a copy of the same shall be filed with the Secretary of State of the State of Michigan and shall be published at least once in a newspaper of general circulation withing the Township of Hampton.

Section 10. Conflicting Ordinances, Resolutions or Orders. All ordinances, resolutions or orders or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, repealed.

Section 11. Severability. Should any section of this Ordinance or any clause or provision hereof be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance at whole or any part there other than the part declared to be invalid.

AUTHENTICATION OF RECORD

WE, RICHARD HART, Supervisor, and SALLY SHEPARDSON, Clerk for the Charter Township of Hampton, Bay County, Michigan, hereby authenticate the following relative to the foregoing Ordinance:

1. That the same was adopted by the Charter Township of Hampton Board on the 18th day of May, 1989.
2. That the following members of the Township Board voted "yes" in favor of said Ordinance: Spenel, Burley Shepardson, Hart
3. That the following members of the Township Board voted "no" against said Ordinance: None
4. That the following members of the Township Board were absent: DeWyse, Foret, Savage

Richard Hart
 RICHARD HART, SUPERVISOR
 DATED: May 18, 1989

Sally Shepardson
 SALLY SHEPARDSON, CLERK
 DATED: May 18, 1989

C E R T I F I C A T E

I, SALLY SHEPARDSON, As Clerk for the Charter Township of Hampton, Bay County, Michigan, hereby certify the following relative to the foregoing Ordinance:

1. That the same was Introduced by the Charter Township of Hampton Board on the 27th day of March, 1989.
2. That the same was published in the Bay City Democrat on the 30th day of March, 1989.
3. That the same was adopted by the Charter Township of Hampton Board on the 18th day of May, 1989.
4. That the same was published in the Bay City Democrat on the 1st day of June, 1989.

Sally Shepardson
 SALLY SHEPARDSON, CLERK.
 DATED: May 18, 1989