

**CITY OF LOWELL  
KENT COUNTY, MICHIGAN**

**ORDINANCE NO. 11-04**

**AN ORDINANCE APPROVING THIRD AMENDMENT TO LOWELL  
DOWNTOWN DEVELOPMENT AUTHORITY DEVELOPMENT AND  
TAX INCREMENT FINANCING PLANS FOR DOWNTOWN  
IMPROVEMENTS**

Councilmember Altoft supported by Councilmember Schrauben, moved the adoption of the following ordinance:

**WHEREAS**, the Board of the City of Lowell Downtown Development Authority (the “DDA”) caused to be prepared, approved and recommended a development plan and tax increment financing plan (the “Plans”) and the City Council approved the Plans after notice and public hearing in 1993 in accordance with the requirements of Act 197 of the Public Acts of Michigan of 1975, as amended (“Act 197”); and

**WHEREAS**, to further accomplish the purposes of Act 197, the Board of the DDA caused to be prepared, approved and recommended amendments to the Plans (the “First and Second Amendments to Plans”) and the City Council approved the First and Second Amendment to Plans after notice and public hearing in 1999 and 2003 in accordance with the requirements of Act 197 (together with the Plans, the “Amended Plans”);

**WHEREAS**, the Board of the DDA has approved and recommended to the City Council an amendment to the Amended Plans extending the period of the completion of projects included in the Plans, as may in the future be further amended to include additional projects, to June 30, 2033, and to extend the period in which tax increment revenues are captured and used for such projects to December 31, 2033 (the “Third Amendment to Plans”); and

**WHEREAS**, in accordance with Act 197, before the public hearing the City Clerk sent by certified mail copies of the Third Amendment to Plans to each of the taxing jurisdictions in which the DDA Downtown District is located giving them a reasonable opportunity to express their views and make recommendations regarding the Third Amendment to Plans; and

**WHEREAS**, a public hearing on the Third Amendment to Plans has been held this date and all interested persons who desired to speak on any and all aspects of the Amended Plans were heard.

**THE CITY OF LOWELL ORDAINS:**

**Section 1. Approval of Third Amendment to Plans.** The Third Amendment to Plans in the form presented at this meeting is hereby approved.

**Section 2. Publication.** After its adoption, the City Clerk shall publish this ordinance, or a summary thereof, as permitted by law, along with the date of its adoption in the *Lowell Ledger*, a newspaper of general circulation in the City, at least ten (10) days before its effective date.

**Section 3. Effective Date.** This ordinance shall take effect ten (10) days after it or a summary thereof, as permitted by law, along with the date of its adoption, is published as provided in Section 2 above.

YEAS: Councilmembers Altoft, LaPonsie, Schrauben and Mayor Hodges.

NAYS: Councilmembers none.

ABSTAIN: Councilmembers none.

ABSENT: Councilmembers Ellison.

**ORDINANCE DECLARED ADOPTED.**

Dated: April 4, 2011

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Betty R. Morlock  
City Clerk

**CERTIFICATION**

I, the undersigned City Clerk of the City of Lowell, Michigan, certify that the above ordinance is a true and complete copy of an ordinance adopted at a regular meeting of the Lowell City Council held April 4, 2011, pursuant to notice given in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended, and notice of its adoption, including a summary of its contents, was published in the *Lowell Ledger* on April 6, 2011. I further certify that the above ordinance was entered into the Ordinance Book of the City on April 4, 2011, and was effective April 16, 2011, ten (10) days after publication.

Dated: April 4, 2011

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Betty R. Morlock  
City Clerk