

SAMPLE RESOLUTION TO APPROVE A COMMERCIAL REHABILITATION EXEMPTION CERTIFICATE APPLICATION, PA 210 OF 2005, AS AMENDED

Minutes of a (regular/special) meeting of the (governing body) of the (governmental unit), held on (date), at (place) in (location) at (time).

PRESENT:

ABSENT:

The following preamble and resolution were offered by _____, and supported by _____.

Resolution (resolution number) Approving Commercial Rehabilitation Exemption Certificate Application for (applicant) Located at (address of project)

WHEREAS, the (governmental unit) legally established the Commercial Rehabilitation District (district name) on (date), after a public hearing held on (date); and

*WHEREAS, the taxable value of the property proposed to be exempt plus the aggregate taxable value of property previously exempt and currently in force under Public Act 210 of 2005 or under Public Act 198 of 1974 (IFT's) (exceeds/does not exceed) 5% of the total taxable value of the (governmental unit); and

**WHEREAS, exceeding 5% will not have the effect of substantially impeding the operation of the (governmental unit) or of impairing the financial soundness of an affected taxing unit; and

WHEREAS, the application was approved at a public hearing as provided by section 4(2) of Public Act 210 of 2005 on (date); and

WHEREAS, the (applicant) is not delinquent in any taxes related to the facility; and

***WHEREAS, the application was approved for less than 10 years and the following (factors, criteria and objectives, if any) are necessary for extending the exemption; and

WHEREAS, the application is for commercial property as defined in section 2(a) of Public Act 210 of 2005; and

WHEREAS, the applicant (name) has provided answers to all required questions under the application instructions to the (governmental unit); and

WHEREAS, the (governmental unit) requires that rehabilitation of the facility shall be completed by (date); and

WHEREAS, the commencement of the rehabilitation of the facility did not occur more than six months prior to the filing of the application for exemption; and

WHEREAS, the application relates to a rehabilitation program that when completed constitutes a qualified facility within the meaning of Public Act 210 of 2005 and that is situated within a Commercial Rehabilitation District established under Public Act 210 of 2005; and

WHEREAS, completion of the qualified facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, (increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community) in which the facility is situated; and

WHEREAS, the rehabilitation includes improvements aggregating 10% or more of the true cash value of the property at commencement of the rehabilitation as provided by section 2(j) of Public Act 210 of 2005.

NOW, THEREFORE, BE IT RESOLVED by the (governing body) of the (governmental unit)

Be and hereby is granted a Commercial Rehabilitation Exemption for the real property, excluding land, located in Commercial Rehabilitation District (district name) at (project address) for a period of (years) years, beginning December 31, (year STC approves), and ending December 30, (up to ten years after beginning date), pursuant to the provisions of PA 210 of 2005, as amended.

AYES:

NAYS:

RESOLUTION DECLARED ADOPTED.

Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the (governing body) of the (governmental unit), County of (____), Michigan at a (regular/special) meeting held on (date).

*This statement is required on every resolution. However, the ** statement is not required unless your answer to the * statement is yes it does exceed 5%. If the answer to * is no you may remove the ** statement from the resolution altogether.

***If an application was approved for 10 years remove this statement. If the application was approved for less than 10 years and you want to offer the option of extending the certificate term in the future you must list the criteria, etc..., for extending the certificate. If you don't wish to extend the certificate in the future, state that the certificate will not be extended in place of the criteria statement.