

Oakland County
Brownfield Redevelopment
Authority

Brownfield Redevelopment Plan
for

47000 S. Lapeer Road Property
Orion Township, Michigan

OAKLAND COUNTY
BROWNFIELD REDEVELOPMENT AUTHORITY

BROWNFIELD REDEVELOPMENT PLAN
Amendment No. ____
FOR

4700 S. Lapeer Road Property
Orion Township, Michigan

March 6, 2007

Prepared For:
Kemp Building and Development
275 West Girard
Madison Heights, MI 48071

Prepared By:
ASTI Environmental
10448 Citation Drive
Brighton, Michigan 48116
ASTI Project No. 6081

OAKLAND COUNTY
 BROWNFIELD REDEVELOPMENT AUTHORITY
 BROWNFIELD PLAN
 4700 S. LAPEER ROAD PROPERTY
 MARCH 6, 2007

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OAKLAND COUNTY
BROWNFIELD REDEVELOPMENT AUTHORITY
BROWNFIELD PLAN
4700 S. LAPEER ROAD PROPERTY
MARCH 6, 2007

Project Summary

Project Name:	Kemp & Peyerk Orion
Developer:	Kemp Building and Development
Project Location:	Single parcel located at 4700 S. Lapeer Road in Orion Township, Michigan
Project Overview:	The project will redevelop 3.87 acres of former industrial property. The Property consists of vacant land previously containing a single building. Historically the site was light industrial use including a steel fabrication and metal working operation from the 1960s, until it burned down in 2006. Remediation of environmental impacts will be completed as part of this project.
Estimated Total Investment:	\$4,800,000
Annual Tax Revenues Before Project:	\$10,900 (based on adjustment for vacant land)
Annual Tax Revenues After Project:	\$101,000 (total tax based on estimated value of real property as of 2008 when project is complete)
Basis for Eligibility:	The parcel is contaminated and therefore qualifies as a facility as defined in Part 201 of Michigan Act 451.
Eligible Activities:	Eligible activities include remediation of environmental impacts, environmental investigations, due care, administrative controls, and preparation of environmental reports.
Eligible Expenses:	\$275,000
Years for Reimbursement:	11 (using assumptions described in the Plan, Table 1)

**BROWNFIELD PLAN
4700 S. LAPPER ROAD PROPERTY
JANUARY 13, 2007**

I. INTRODUCTION

The Oakland County Brownfield Redevelopment Authority (the Authority) was created by Oakland County (the County) under the Brownfield Redevelopment Financing Act, Michigan Public Act 381 of 1996, as amended (Act 381). The primary purpose of Act 381 and the Authority is to encourage the redevelopment of contaminated property by providing economic incentives through tax increment financing for eligible activities and Brownfield Redevelopment Single Business Tax Credits for eligible investments.

The Oakland County Brownfield Plan (the Plan) describes what defines a property as an "eligible property", including conditions for classifying a property as a "facility". In addition, it describes the extent of the proposed redevelopment project, the methods for redevelopment, and the amount of tax dollars generated by the project that will be used to finance the redevelopment. Once approved, the Plan will serve as a guide for implementation of the project.

This Plan Amendment describes the redevelopment of a former light industrial and steel fabrication facility located at 4700 S. Lapper Road in Orion Township, Michigan. The Plan Amendment includes all information required by the Authority for review and approval. All terms used in this Plan are defined as provided in the applicable statutes, including; The Brownfield Redevelopment Financing Act, 1996, Michigan Public Acts 381, M.C.L. § 125.2651 et seq., as amended; Sections 38d and 38g of the Single Business Tax Act, 1975 Michigan Public Acts 228, M.C.L. § 208.1-208.145, as amended; and Part 201 of the Natural Resources and Environmental Protection Act, 1994 Michigan Public Acts 451, M.C.L. § 324.20101 et seq., as amended (Part 201). All references in section headers are for The Brownfield Redevelopment Financing Act, 1996, Michigan Public Acts 381, M.C.L. § 125.2651 et seq., as amended.

II. GENERAL PROVISIONS

A. Description of Eligible Property (Section 13(1)(h))

The eligible property for this Plan consists of a single parcel of approximately 3.87 acres located on Lapeer Road, just north of Brown road and west of S. Lapeer Road in Orion Township, Oakland County, Michigan (Figure 1). The Property is currently vacant, consisting of the former building slab foundation, two truck wells, asphalt parking area, concrete drive, wooded and lowland areas, and landscaping (Figure 2).

The Property was used as a farmstead from at least 1940 through the 1960s. Between 1963 and 1972, a light industrial building was constructed on the eastern portion of the Property. The building was renovated and approximately 20,000 square feet were added to the building in 1974. The building was used for storage by Canterbury Village between 1996 and the time the building burned on January 6, 2006. The Property is currently zoned for light industrial use.

The developer, Kemp Building and Development (the Developer) intends to construct and lease a light industrial building on the property.

The legal description for the Eligible Property is as follows.

T4N, R10E, SEC 35 PART OF E ½ OF WEST ½ OF SEC BEG
AT PT DIST N 87-50-35 E 1295.30 FT & N 01-01-51 w 1679.33
FT & n 89-35-34 E 577 FT FROM SW SEC COR, TH N 89-35-
34 E 616 FT, TH N 00-24-26 W 225 FT, TH S 89-35-34 W 420
FT, TH N 00-24-26 W 150 FT, TH S 89-35-34 W 200.20 FT, TH
S 01-02-56 e 375.02 FT TO BEG 3.87 A3-22-96 FR 017

Personal Property: Personal property will be included as part of the Eligible Property and the value of the personal property is an eligible investment for the purpose of calculating the amount of the Brownfield Redevelopment Single Business Tax Credit for

the project. As described below, personal property is not included in the estimates of incremental taxable value provided in Table 2.

The Property and improvements, including tangible personal property to be located thereon, will comprise the eligible property (the Eligible Property).

B. Basis of Eligibility (Section 13(1)(h))

The Property is an eligible property because it is a "facility" as defined by Part 201 of Michigan Act 451.

A review of historical sampling data indicates concentrations of VOCs and metals in soil and groundwater at several locations throughout the Property that exceed the MDEQ's Generic Residential Cleanup Criteria (refer to the *Baseline Environmental Assessment* dated November 3, 2006). Most of the impacted boring locations are on the western portion of the Property, to the east of the truck well.

Environmental conditions were initially observed by ASTI Environmental of Brighton, Michigan during a Phase I environmental site assessment conducted on April 28, 2006. A subsurface investigation was conducted at the Property on June 28, 2006 in regard to historical uses first identified during the Phase I investigation. On October 6, 2006, an additional subsurface investigation was conducted to delineate soil and groundwater impacts identified during the June 2006 investigation. A total of 14 soil borings have been completed throughout the Property during the two subsurface investigations.

Subsurface investigations indicate impacts in the western and central portion of the Property. The impacted soil samples were collected from a depth of 10 to 12 feet below ground surface. Concentrations of VOCs in excess of the Csat and/or industrial closure criteria have been identified in the western portion of the site, to the east of the truck well. Concentrations in excess of Csat values indicate potential for free product.

III. PROJECT DESCRIPTION

A. Description of Cost to be Paid With Tax Increment Revenues & Summary of Eligible Activities (Section 13(1)(b))

The "eligible activities" planned for the site are identified by Act 381, and include environmental investigation, remediation, due care, administrative costs, and closure documentation, which are defined as those activities necessary to identify and remedy impacts above the applicable clean-up criteria in order to prepare the site for construction. In specific, these activities include, but are not limited to, the following:

1. Environmental Investigations:

Soil and/or groundwater investigations; 1) to further delineate the nature and extent of identified impacts that have occurred from historical uses; 2) to assess environmental conditions on the subject property; and 3) as required to provide closure documentation following soils remediation.

2. Environmental Remediation and Due Care Activities

Soil contamination identified on-site will be remediated. An estimated 4,500 cubic yards of soil will be excavated from the impacted area and transported to an appropriate waste disposal facility. The upper portion of the excavated soils may be used for backfill material if laboratory analysis determines that the soils are appropriate for backfill. Approximately 15,000 square feet of concrete overlying the impacted remediation area will be broken up and transported to a concrete recycling facility. Removal of concrete and contaminated soils, preparation of Due Care Plans and due diligence documentation, and preparation of work plans are included in this activity.

3. Contingency

A 15% contingency factor has been included to accommodate unexpected conditions that may be encountered during redevelopment.

In addition to the eligible activities described above, this Plan includes administrative fees for the Oakland County Brownfield Redevelopment Authority (OCBRA) at 10% of the total tax increment revenues for each year, and capture of an additional five years of taxes for the local Revolving Loan Fund.

The estimates costs for the eligible activities are listed in Table 1 below and reimbursement is illustrated in Table 2 attached.

**Table 1
Estimated Costs of Eligible Activities**

Eligible Activities	Estimated Tax Capture
1. Environmental Investigation	\$6,000
2. Environmental Remediation and Due Care	\$232,808
Contingency (15%)	\$35,821
Total Eligible Activities	\$274,629

The above costs are only estimations and may increase or decrease depending on the actual conditions encountered on the Property. If necessary, this Plan may be amended to add or delete eligible activities and their estimated costs.

Financial support will be provided by the Authority in the form of Tax Increment Financing (TIF) to reimburse the Developer, including its successors and assignees, for the actual cost of eligible activities on the Eligible Property, as authorized by Act 381, and to allow a qualified taxpayer to apply for a State of Michigan Brownfield Redevelopment Single Business Tax Credit. No cost shall be reimbursed by taxes unless they are activities implemented pursuant to a development agreement approved by the Township

B. Estimate of Captured Taxable Value and Tax Increment Revenues (Section 13(1)(c))

The Brownfield Plan total estimated cost of the eligible activities to be reimbursed through the capture of tax increment revenue is provided in Table 2. Based on the assumptions listed below, tax capture for reimbursement of eligible activities as described in Section III(A) above is estimated at 11 years. The Township will capture an additional five years, for a total duration of 16 years. As described below,

conservative assumptions were included in the captured taxable value and tax rates. These assumptions are used for illustrative purposes only, and are not intended to limit reimbursement of the actual annual tax capture amount described in Section III(A) above.

The following assumptions have been used to prepare Table 2.

1. The development project will be completed in 2008.
2. Only local taxes are included in calculating recapture.
3. Although the most recent taxable value of the Property is \$528,460, for purposes of calculating the incremental taxable value, the Initial Taxable Value of the Property is assumed to be the purchase price as indicated in Table 2.
4. Personal property, although anticipated to be part of the value added to the Property, has not been included in the tax table.

Estimated Tax Increment Revenue Captured by the Authority: Over the life of the Plan the maximum tax increment captured by the Authority will be as follows.

Oakland County Brownfield Redevelopment Authority	
Administrative Fees (16 years):	\$46,000
Revolving Loan Fund (5 years)	\$145,000

The Initial Taxable Value will be set by the next assessment role for which equalization will be completed following the date the resolution adding the eligible property in the Brownfield Plan is adopted.

The captured incremental taxable value and associated tax increment revenue will be based on the actual increased taxable value from all taxable improvements on the Property and the actual millage rates levied by the various taxing jurisdictions during each year of the Plan.

FINANCIAL ANALYSIS
Table 2 - Example Total Tax Capture

4700 S. Lapeer Road
 March 6, 2007

Jurisdiction: Orion Township
 School District: Lake Orion Schools
 Property Type: Industrial

Assumptions

Property Value:	\$ 3,382,826
Projected Taxable Value:	\$ 1,681,413
Initial Taxable Value:	\$ 187,500
Incremental Taxable Value:	\$ 1,493,913

Eligible Activity

Environmental Response Activities:	\$ 274,629
Redevelopment Activities:	\$ -
Total Eligible Expense:	\$ 274,629

Year	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Percent Complete	0%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Incremental Taxable Value	\$ -	\$ 1,538,730	\$ 1,584,892	\$ 1,632,439	\$ 1,681,412	\$ 1,731,855	\$ 1,783,810	\$ 1,837,325	\$ 1,892,444	\$ 1,949,218
Personal Property	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Taxable Value	\$ -	\$ 1,538,730	\$ 1,584,892	\$ 1,632,439	\$ 1,681,412	\$ 1,731,855	\$ 1,783,810	\$ 1,837,325	\$ 1,892,444	\$ 1,949,218
Total	Millage/1000									
Village Operating	12.1165	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
County Operating	1.3900	\$ 2,139	\$ 2,203	\$ 2,269	\$ 2,337	\$ 2,407	\$ 2,479	\$ 2,554	\$ 2,630	\$ 2,708
County Education	2.8000	\$ 86,845	\$ 4,438	\$ 4,571	\$ 4,708	\$ 4,849	\$ 4,995	\$ 5,145	\$ 5,299	\$ 5,458
County General	1.5844	\$ 49,142	\$ 2,511	\$ 2,586	\$ 2,664	\$ 2,744	\$ 2,826	\$ 2,911	\$ 2,998	\$ 3,088
ISD (All)	3.3590	\$ 104,493	\$ 5,340	\$ 5,500	\$ 5,665	\$ 5,835	\$ 6,010	\$ 6,190	\$ 6,376	\$ 6,567
County Parks	0.2415	\$ 7,490	\$ 383	\$ 394	\$ 406	\$ 418	\$ 431	\$ 444	\$ 457	\$ 471
Metro Parks	0.2145	\$ 6,656	\$ 340	\$ 350	\$ 361	\$ 372	\$ 383	\$ 394	\$ 405	\$ 418
Fire	0.9916	\$ 30,755	\$ 1,528	\$ 1,618	\$ 1,667	\$ 1,717	\$ 1,769	\$ 1,822	\$ 1,877	\$ 1,933
Police	1.9632	\$ 61,511	\$ 3,143	\$ 3,237	\$ 3,335	\$ 3,435	\$ 3,538	\$ 3,644	\$ 3,753	\$ 3,866
Library Operating	1.4189	\$ 44,009	\$ 2,248	\$ 2,316	\$ 2,386	\$ 2,457	\$ 2,531	\$ 2,607	\$ 2,685	\$ 2,766
Township General	0.8200	\$ 25,433	\$ 1,300	\$ 1,339	\$ 1,379	\$ 1,420	\$ 1,463	\$ 1,507	\$ 1,552	\$ 1,598
Safety Paths	0.2382	\$ 7,388	\$ 378	\$ 389	\$ 401	\$ 413	\$ 425	\$ 438	\$ 451	\$ 464
Lake Orion School Debt	7.4910	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
School Operating	18.0000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
School SET	6.0000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Incremental Tax		\$ 23,160	\$ 23,855	\$ 24,570	\$ 25,308	\$ 26,067	\$ 26,849	\$ 27,654	\$ 28,484	\$ 29,335

Total Tax Capture for All Eligible Activities

Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Environmental Response Activities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Redevelopment Activities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Total Tax Capture for All Eligible Activities

Total	\$ 274,628	\$ 20,844	\$ 21,469	\$ 22,113	\$ 22,777	\$ 23,460	\$ 24,164	\$ 24,889	\$ 25,636	\$ 26,405
Capture for Brownfield Authority:	\$ 46,663	\$ 2,316	\$ 2,385	\$ 2,457	\$ 2,531	\$ 2,607	\$ 2,685	\$ 2,765	\$ 2,848	\$ 2,934
Capture for Bond Repayment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Capture for RLF	\$ 145,523	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Capture:	\$ 465,834	\$ 23,160	\$ 23,855	\$ 24,570	\$ 25,308	\$ 26,067	\$ 26,849	\$ 27,654	\$ 28,484	\$ 29,335

Notes:
 Property and Taxable Values assume conservative costs and tax rates as described in the Brownfield Plan, are for illustration only, and do not represent actual costs.
 The Initial Taxable Value is an adjusted value based on recent land purchase price.

C. Impact of Tax Increment Financing on Taxing Jurisdictions (Section 13(1)(g))

See Table 2 attached to this Plan for a detailed breakdown of the estimated impact of tax increment financing on the revenues of the taxing jurisdictions in which the Eligible Property is located.

The Property includes one school district: 63230- Lake Orion Schools

D. Method of Financing and Description of Advances by the Municipality (Section 13(1)(d))

The Development will be financed through private financing arranged by the Developer.

E. Maximum Amount of Indebtedness (Section 13(1)(e))

The Authority is not responsible for any cost of eligible activities and will incur no debt. No advances have been or shall be made by the Township or the Authority for the costs of eligible activities under this Plan.

F. Duration of Plan (Section 13(1)(f))

The Plan will remain in effect for as many years as is required to fully complete the reimbursement of eligible expenses for the project, or 30 years, whichever is less.

G. Effective Date of Inclusion in Brownfield Plan

The Property will become a part of this Plan on the date this Plan is approved by the Authority.

H. Displacement/Relocation of Individuals on Eligible Property (Section 13(1)(i-l))

There are no persons residing on the eligible property to which this Plan applies, and therefore there are no families to be displaced or relocated.

I. Local Site Remediation Revolving Fund (Section 13(1)(m))

Taxes will be captured from this Project for the Local Site Remediation Revolving Fund during the five years following the complete capture of taxes for reimbursement of eligible activities described in Section III(A) above. These funds will be used for investigation and remediation on other Brownfield sites located within the Authority.

No funds from the Local Site Remediation Revolving Fund shall be used to finance the costs of eligible activities on the Eligible Property under this Plan.

J. Other material that the Authority or Governing Body Deems Pertinent (Section 13(1)(n))

Orion Township has entered into a development agreement with Kemp & Peyerk Orion LLC dated _____, 2007 (the "Development Agreement"). This Brownfield Plan is subject to the terms and conditions of the Development Agreement and any future amendments to the Development Agreement.

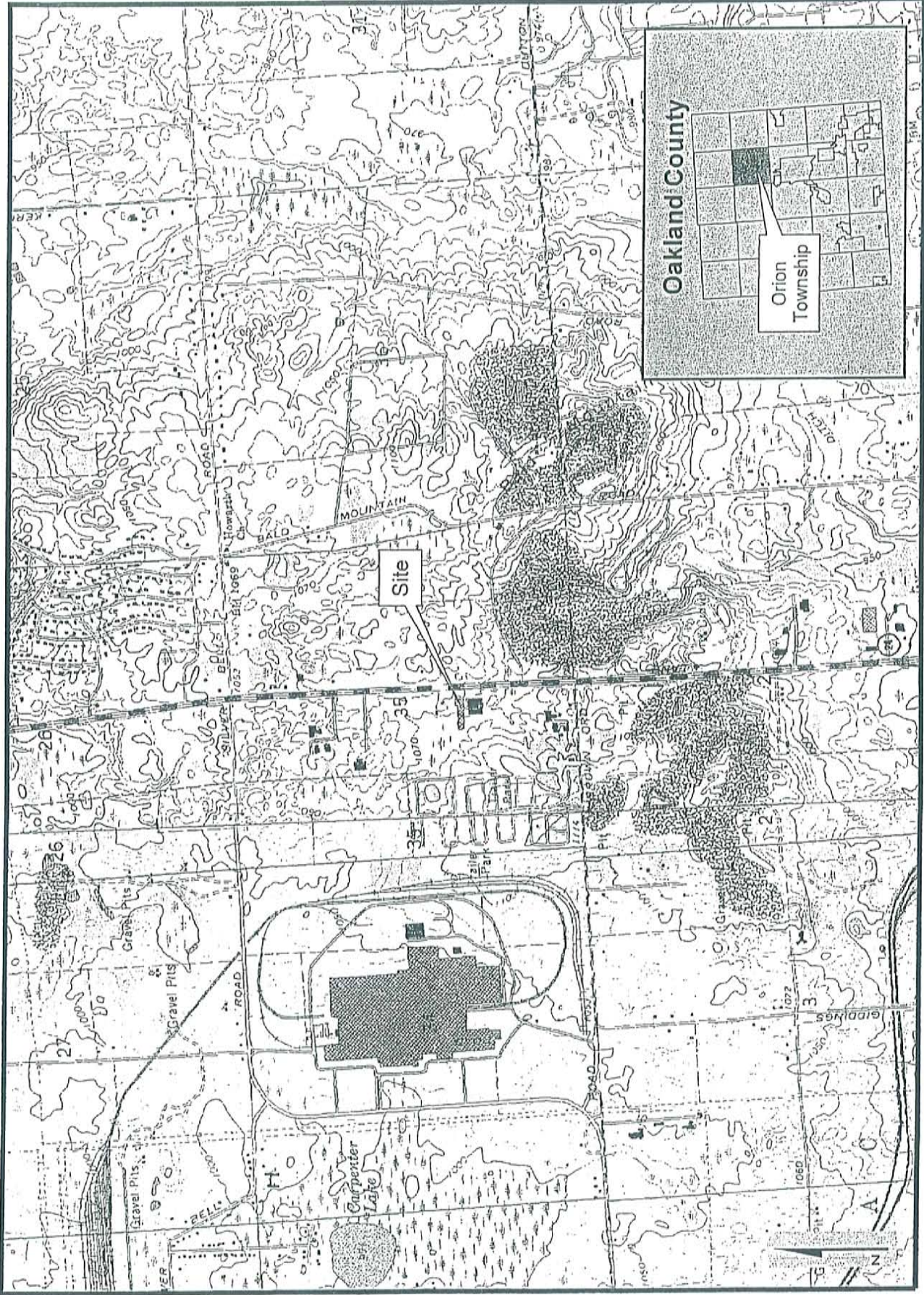
Because of the challenges and costs associated with redevelopment of an industrial facility, this project requires Brownfield incentives to succeed. Challenges include impacts to soil in the western portion of the site, the potential for difficulties during the excavation process, and the potential for unanticipated impacts to be discovered during site preparation and construction. Costs associated with site preparation needed to mitigate challenges created by previous site usage and development are anticipated to be over \$270,000 as described in this Plan.

Funding for these expenses is anticipated to come from the following sources. As described above and illustrated below, the Developer may apply for school tax capture and the Brownfield single business tax credit.

**Table 3
Funding Sources**

Investments	Total Cost	Grant Funded	Environmental TIF Funded	SBT Credit	Developer Investment
Site Acquisition	\$403,750	\$0	\$0	\$0	\$403,750
Environmental Investigation/Remediation	\$269,150	\$6,400	\$238,808	\$0	\$23,942
Site Preparation	\$70,000	\$0	\$0	\$0	\$70,000
Infrastructure	\$412,000	\$0	\$0	\$0	\$347,000
Demolition	\$60,000	\$0	\$0	\$0	\$60,000
Construction Costs	\$2,230,000	\$0	\$0	\$223,000	\$2,007,000
Other Construction Costs	\$757,826	\$0	\$0	\$75,783	\$682,043
Total Above	\$4,202,726	\$6,400	\$238,808	\$298,783	\$3,593,735
Contingency	15%	15%	15%	15%	15%
	\$630,409	\$960	\$35,821	\$44,817	\$539,060
Total With Contingency	\$4,833,135	\$7,360	\$274,629	\$343,600	\$4,132,795

Attachments
OAKLAND COUNTY
BROWNFIELD REDEVELOPMENT AUTHORITY
BROWNFIELD PLAN
4700 S. LAPEER ROAD PROPERTY
MARCH 6, 2007



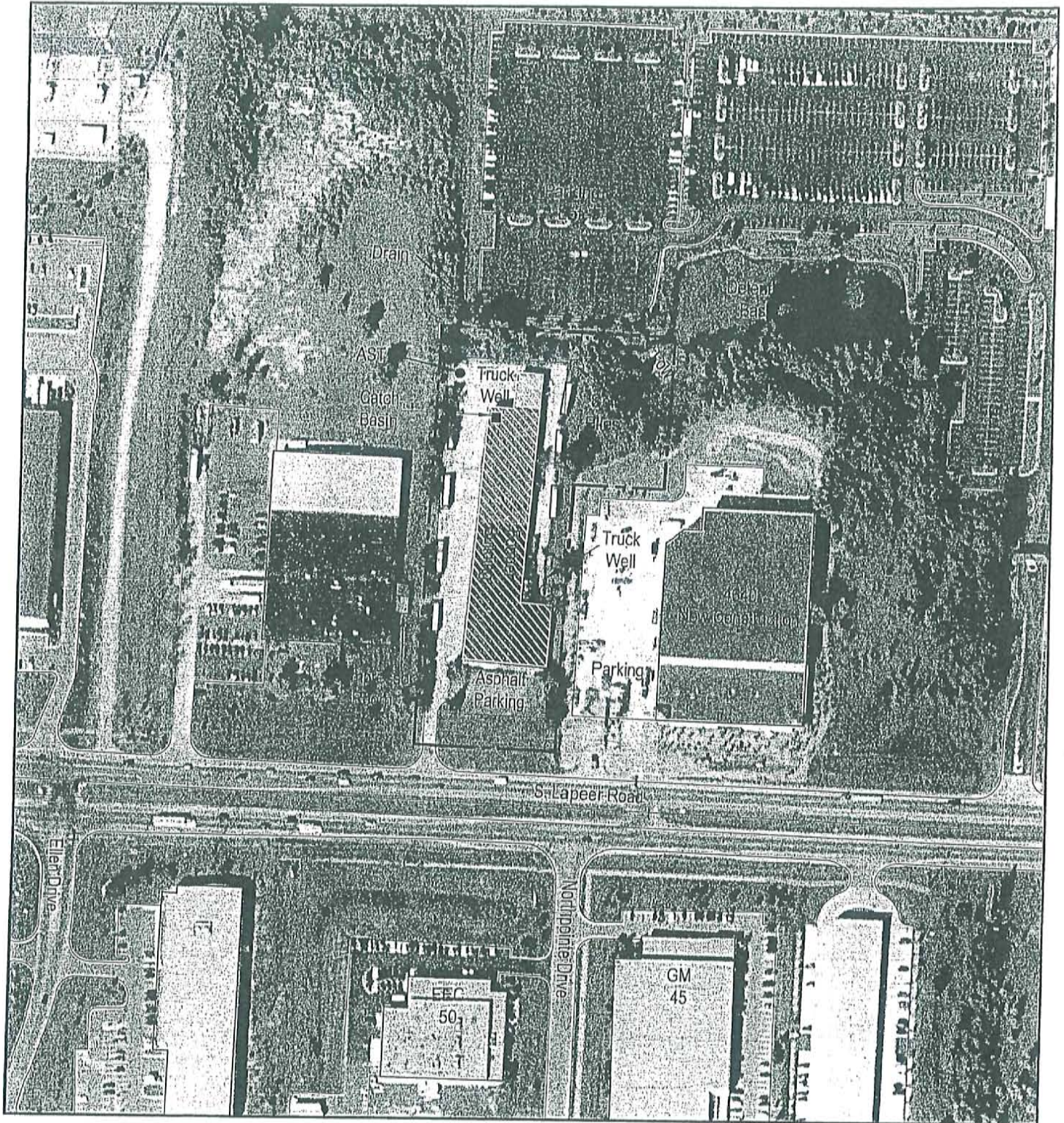
3.87-Acre Property

4700 S. Lapeer Road, Orion, Twp, MI



Created for: Kemp Building & Development
 Created by: ALH, May 8, 2006, ASTI Project 6235

Site Location Map



LEGEND

- Property Line
- ⊕ Transformer
- ⊙ Well
- ▭ Storage Trailer
- ▨ Former 10,000 Gallon UST

3.87-Acre Property 4700 S. Lapeer Road, Orion Twp., MI

Created for: Kemp Building & Development
 ASTI Project 6235, ALH, May 9, 2006



L. BROOKS PATTERSON
OAKLAND COUNTY EXECUTIVE

March 13, 2007

Gerald Dywasuk
Supervisor, Charter Township of Orion

Re: Local Host Committee – 4700 Lapeer Road Project

Dear Mr. Dywasuk,

I am writing today to ask you to accept an appointment to serve on a Brownfield Host Committee for the 4700 Lapeer Road project.

Pursuant to Article II, Section 9 of the Oakland County Brownfield Redevelopment Authority(OCBRA) Bylaws, "...each project for consideration by the OCBRA requires the establishment of a host committee consisting of at least one OCBRA board member and one locally elected official (or designee) of the subject municipality. The committee so appointed shall make recommendations to the Board, which shall include or address any changes to the Brownfield redevelopment plan sought by the city, village or township, as well as any other significant concerns or issues raised by the city, village or township... The OCBRA Board is required to appoint this committee 60 days prior to Board of Commissioners action on any BRA plan..."

I can be reached at 248-858-8073 with any questions or concerns you may have.

Respectfully yours,

Bradley J. Hansen
Coordinator, Oakland Brownfield Initiative

OAKLAND
BROWNFIELD
INITIATIVE

WASTE RESOURCE
MANAGEMENT

THOMAS A. LAW, MANAGER
1200 N. TELEGRAPH ROAD
EXECUTIVE OFFICE BUILDING
ROOM 102
PONTIAC, MI 48341

TEL 248.858.1352

FAX 248.858.7998

WWW.CO.OAKLAND.MI.US/WASTE

Printed on Recycled Paper



L. BROOKS PATTERSON
OAKLAND COUNTY EXECUTIVE

March 13, 2007

Thomas Law
Manager, Oakland County Waste Resource Management

Re: Local Host Committee – 4700 Lapeer Road Project

Dear Mr. Law,

I am writing today to ask you to accept an appointment to serve on a Brownfield Host Committee for the 4700 Lapeer Road project.

Pursuant to Article II, Section 9 of the Oakland County Brownfield Redevelopment Authority(OCBRA) Bylaws, "...each project for consideration by the OCBRA requires the establishment of a host committee consisting of at least one OCBRA board member and one locally elected official (or designee) of the subject municipality. The committee so appointed shall make recommendations to the Board, which shall include or address any changes to the Brownfield redevelopment plan sought by the city, village or township, as well as any other significant concerns or issues raised by the city, village or township... The OCBRA Board is required to appoint this committee 60 days prior to Board of Commissioners action on any BRA plan..."

I can be reached at 248-858-8073 with any questions or concerns you may have.

Respectfully yours,

Bradley J. Hansen
Coordinator, Oakland Brownfield Initiative

OAKLAND
BROWNFIELD
INITIATIVE

WASTE RESOURCE
MANAGEMENT

THOMAS A. LAW, MANAGER
1200 N. TELEGRAPH ROAD
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TEL 248.858.1352

FAX 248.858.7998

WWW.CO.OAKLAND.MI.US/WASTE

Revised 10/05/06

**ESTABLISHMENT OF A COMMITTEE FOR THE 4700 LAPEER ROAD
BROWNFIELD SITE**

WHEREAS, per the Oakland County Brownfield Redevelopment Authority (BRA) Bylaws, Article II Section 9. Not less than sixty days prior to the submittal of any proposed Brownfield redevelopment plan to the BOC pursuant to Section 14(a) of the Act, by resolution the Board shall appoint a committee for any such proposed plan to allow for input of the city, village or township involved. The committee shall consist of a minimum of one or more of the Directors of the Board, as well as one elected official, or his/her designee from the affected city, village, or township. The committee so appointed shall make recommendations to the Board, which shall include or address any changes to the Brownfield redevelopment plan sought by the city, village or township, as well as any other significant concerns or issues raised by the city, village or township.

WHEREAS, Thomas Law (Oakland County BRA) and Gerald Dywasuk (Charter Township of Orion) were designated to serve on the Local Host Committee on Tuesday March 13, 2007 for the 4700 Lapeer Road project.

WHEREAS, all parties involved with this project and the specific persons nominated for this committee have been meeting on this project starting in March of 2007: and,

WHEREAS, today is the first scheduled meeting in which the Oakland County BRA can vote on this resolution.

THEREFORE, be it resolved, to approve and ratify the appointment of Thomas Law (Oakland County BRA) along with Gerald Dywasuk (Charter Township of Orion) to serve on the 4700 Lapeer Road project committee.

Yeas- Crawford, Hunter, Law, Webster, Williams, Wilson
Nays-

RESOLUTION TO APPROVE A BROWNFIELD REDEVELOPMENT PLAN
FOR THE 4700 LAPEER ROAD BROWNFIELD SITE
March 27, 2007

WHEREAS, the 4700 Lapeer Road site has been a long-standing environmental hazard, a "facility" under state statute, and a non-producing parcel for many years; and,

WHEREAS, a clean up and redevelopment plan has been established to restore the environmental and economic viability of this parcel; and,

WHEREAS, a local committee has been appointed, reviewed the plan and recommends its approval; and,

WHEREAS, the BRA Board has reviewed and modified the proposed plan; now,

WHEREAS, to approve the Brownfield Redevelopment Plan for the 4700 Lapper Road as presented and considered at the March 27, 2007 OCBRA Board meeting, along with the procedures for cost reimbursement, both attached; and,

THEREFORE, BE IT RESOLVED, the Brownfield Plan for the 4700 Lapeer Road project was approved by the OCBRA on March 27, 2007 by a majority vote of six yeas to zero Nays.

BE IT FURTHER RESOLVED, to recommend the adoption of this plan by the Oakland County Board of Commissioners, and its Planning & Building and Finance Committee's

Yeas: Crawford, Hunter, Law, Webster, Williams, Wilson
Nays:

STATE OF MICHIGAN
COUNTY OF OAKLAND
(CITY/VILLAGE/TOWNSHIP)

**RESOLUTION CONCURRING WITH THE PROVISIONS OF
A BROWNFIELD PLAN ADOPTED BY THE OAKLAND COUNTY
BROWNFIELD REDEVELOPMENT AUTHORITY FOR THE
(PROJECT TITLE)**

RECITATIONS:

WHEREAS, the Oakland County Board of Commissioners, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the “Act”), have established a Brownfield Redevelopment Authority and Board (OCBRA) to facilitate the clean up and redevelopment of Brownfields within Oakland County’s communities; and

WHEREAS, the former (PROJECT) in the (MUNICIPALITY) has been a long-standing environmental hazard, a “facility” under state statute; and

WHEREAS, a Brownfield clean up and redevelopment plan (the “Plan”) has been prepared to restore the environmental and economic viability of this parcel which the OCBRA has reviewed and modified; and

WHEREAS, pursuant to OCBRA by-laws, a local committee has been appointed, participated in discussions regarding the proposed plan and project, reviewed the plan, and recommends its approval; and

WHEREAS, the OCBRA, pursuant to and in accordance with Section 13 of the Act, shall consider recommending that the Oakland County Board of Commissioners approve the Brownfield Plan to be carried out within the (MUNICIPALITY), relating to the redevelopment of (PROJECT) located at (CROSSROADS/ADDRESS) (the “Property”); and

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

NOW THEREFORE BE IT RESOLVED THAT, the (ELECTED BODY) of the (MUNICIPALITY) hereby concurs with the provisions of the Plan including approval of the Plan by the Oakland County Board of Commissioners and implementation of the Plan by the Oakland County Brownfield Redevelopment Authority.

BE IT FURTHER RESOLVED THAT should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.



Charter Township of Orion

2525 Joslyn Road
Lake Orion MI 48360
(248) 391-0304
www.oriontownship.org

March 22, 2007

Township Board

Supervisor

Gerald A. Dywasuk
Ext. 201
F: (248) 393-6858

Clerk

Jill D. Bastian
Ext. 104
F: (248) 391-9984

Treasurer

Alice P. Young
Ext. 123
F: (248) 391-1484

Trustees

John Garlicki
Matthew A. Gibb
Neal C. Porter
John M. Steimel

Departments

Assessing

Ext. 115
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Building & Planning

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Buildings & Grounds

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Fire

P: (248) 693-9701
F: (248) 693-9712

Parks & Recreation

Ext. 143
F: (248) 391-0332

Public Works

Ext. 117
F: (248) 393-6842

Senior Center

P: (248) 693-2066
F: (248) 693-6807

Mr. Bradley Hansen
Environmental Program Coordinator
Oakland County Waste Resource Management
1200 N. Telegraph Rd.
Pontiac, MI 48341

RE: Oakland County Redevelopment Authority Brownfield
4700 S. Lapeer Rd.

Dear Brad,

At its regular meeting of March 19, 2007, the Orion Township Board adopted the "Resolution Regarding Proposed Brownfield Redevelopment Project at 4700 S. Lapeer Rd". The original is enclosed.

If you have any questions, please call.

Sincerely,
Charter Township of Orion

Gerald A. Dywasuk
Supervisor

Email: gdywasuk@oriontownship.org
Website: www.oriontownship.org

enclosure

STATE OF MICHIGAN
COUNTY OF OAKLAND
CHARTER TOWNSHIP OF ORION

RESOLUTION CONCURRING WITH THE PROVISIONS OF
A BROWNFIELD PLAN ADOPTED BY THE OAKLAND COUNTY
BROWNFIELD REDEVELOPMENT AUTHORITY FOR THE
4700 LAPEER ROAD PROJECT

RECITATIONS:

WHEREAS, the Oakland County Board of Commissioners, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), have established a Brownfield Redevelopment Authority and Board (OCBRA) to facilitate the clean up and redevelopment of Brownfields within Oakland County's communities; and

WHEREAS, the property located at 4700 Lapeer Road in Orion Township is an environmental hazard, a "facility" under state statute; and

WHEREAS, a Brownfield clean up and redevelopment plan (the "Plan") has been prepared to restore the environmental and economic viability of this parcel which the OCBRA has reviewed and approved; and

WHEREAS, pursuant to OCBRA by-laws, a local committee has been appointed, participated in discussions regarding the proposed plan and project, reviewed the plan, and recommends its approval; and

WHEREAS, the OCBRA, pursuant to and in accordance with Section 13 of the Act, shall consider recommending that the Oakland County Board of Commissioners approve the Brownfield Plan to be carried out within the Township of Orion, relating to the redevelopment of the property located at 4700 Lapeer Road (the "Property"); and

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

NOW THEREFORE BE IT RESOLVED THAT, the Township Board of Trustees of the Charter Township of Orion hereby concurs with the provisions of the Plan including approval of the Plan by the Oakland County Board of Commissioners and implementation of the Plan by the Oakland County Brownfield Redevelopment Authority.

BE IT FURTHER RESOLVED THAT should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.

BE IT FURTHER RESOLVED THAT all resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

AYES: *BASTIAN, STEIMEL, PORTER, YOUNG, GIBB, GARLICKI, DYWASUK.*
NAYS: *NONE.*
ABSTENTIONS: *NONE.*
ABSENT: *NONE.*

CERTIFICATION

It is hereby certified that the foregoing Resolution is a true and accurate copy of the Resolution adopted by the Township Board of the Charter Township of Orion at a meeting duly called and held on the 16th day of April, 2007.

CHARTER TOWNSHIP OF ORION

By: *Jill D. Bastian*
JILL D. BASTIAN, CLERK

Resolution

WHEREAS {name of CVT} has a Brownfield project commonly known as the _____ Project that it would like to have reviewed and processed by the Oakland County Brownfield Redevelopment Authority;

WHEREAS (name of CVT) has not created a Brownfield Authority:

WHEREAS the Oakland County Brownfield Redevelopment Authority was created by Oakland County pursuant to MCL 125.2651 et seq. to assist jurisdictions like (name if CVT) that do not have their own Brownfield Authority;

WHEREAS the Oakland County Brownfield Redevelopment Authority is prepared to assist (name of CVT) by reviewing the proposed _____ Project, provided that (name of CVT) acknowledges certain rights that the Oakland County Brownfield Redevelopment Authority has, to wit:

- (OCBRA or County) intends to collect an administrative fee not to exceed \$75,000.00 depending on the size and complexity of the project; and
- (OCBRA or County) intends to capture and collect an amount up to 100% of the eligible costs for the Brownfield project, and that such funds will be placed in the (OCBRA's or County's) revolving loan fund for future remediation projects.

WHEREAS (name of CVT) will have the opportunity to provide public comment on any Brownfield plan (including the amount of the administrative fee to be collected and the amount captured for the revolving loan fund) before it is finally adopted by the OCBRA and/or the Oakland County Board of Commissioners;

NOW BE IT THEREFORE RESOLVED that (name of CVT) requests that the OCBRA undertake review of the _____ Project.

IT IS FURTHER RESOLVED THAT (name of CVT) acknowledges and understands that (OCBRA or County) intends to collect certain administrative fees and capture certain taxes for its revolving loan fund, which will be specified in detail in any Brownfield Plan before it is finally adopted.



Charter Township of Orion

2525 Joslyn Road
Lake Orion MI 48360
(248) 391-0304
www.oriontownship.org

April 19, 2007

Township Board

Supervisor

Gerald A. Dywasuk
Ext. 201
F: (248) 393-6858

Clerk

Jill D. Bastian
Ext. 104
F: (248) 391-9984

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Mr. Bradley Hansen
Environmental Program Coordinator
Oakland County Waste Resource Management
1200 N. Telegraph Rd.
Pontiac, MI 48341

RE: Oakland County Redevelopment Authority Brownfield
4700 S. Lapeer Rd.

Dear Brad,

At its regular meeting of March 19, 2007, the Orion Township Board adopted a "Resolution Concurring with the Provisions of a Brownfield Plan Adopted by the Oakland County Brownfield Redevelopment Authority for the 4700 Lapeer Road Project". The certified original is enclosed.

If you have any questions, please call.

Sincerely,

Charter Township of Orion

Gerald A. Dywasuk
Supervisor

Email: gdywasuk@oriontownship.org
Website: www.oriontownship.org

enclosure

STATE OF MICHIGAN

COUNTY OF OAKLAND

CHARTER TOWNSHIP OF ORION

**RESOLUTION REGARDING PROPOSED
BROWNFIELD REDEVELOPMENT PROJECT
AT 4700 S. LAPEER ROAD**

WHEREAS the Charter Township of Orion has a Brownfield project commonly known as the 4700 Lapeer Road Project that it would like to have reviewed and processed by the Oakland County Brownfield Redevelopment Authority; and

WHEREAS the Charter Township of Orion has not created a Brownfield Authority; and

WHEREAS the Oakland County Brownfield Redevelopment Authority (OCBRA) was created by Oakland County, pursuant to MCL 125.2651 et seq., to assist jurisdictions like the Charter Township of Orion that do not have their own Brownfield Authority; and

WHEREAS the Oakland County Brownfield Redevelopment Authority is prepared to assist the Charter Township of Orion by reviewing the proposed 4700 S. Lapeer Road Project, provided that the Charter Township of Orion acknowledges certain rights that the Oakland County Brownfield Redevelopment Authority has, to wit:

- OCBRA may collect, pursuant to State statute, an administrative fee not to exceed \$75,000.00 per year for the length of the Brownfield plan. In this project, OCBRA intends to collect an administrative fee not to exceed \$46,000 over 16 years; and
- OCBRA intends to capture and collect an amount up to 100% (\$145,000 stretched over five years, 2019-2023) of the eligible costs for the Brownfield project, and that such funds will be placed in the OCBRA revolving loan fund for future remediation projects; and

WHEREAS the Charter Township of Orion will have the opportunity to provide public comment on any Brownfield plan (including the amount of the administrative fee to be collected and the amount captured for the revolving loan fund) before it is finally adopted by the OCBRA and/or the Oakland County Board of Commissioners;

NOW BE IT THEREFORE RESOLVED that the Charter Township of Orion requests that the OCBRA undertake review of the 4700 S. Lapeer Road Project; and

IT IS FURTHER RESOLVED that the Charter Township of Orion acknowledges and understands that OCBRA intends to collect certain administrative fees and capture certain taxes for its revolving loan fund, which will be specified in detail in any Brownfield Plan before it is finally adopted.

On a motion by Trustee Gibb, seconded by Trustee Garlicki, the resolution was adopted, as amended, with the Board Members voting as follows:

AYES: Young, Porter, Gibb, Bastian, Steimel, Garlicki, Dywasuk.

NAYS: None.

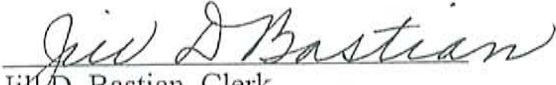
ABSENT: None.

ABSTENSION: None.

The Supervisor declared the resolution adopted.

CERTIFICATION

I, Jill D. Bastian, duly elected Clerk of the Charter Township of Orion, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Charter Township of Orion Board of Trustees at a regular meeting held on Monday, March 19, 2007.


Jill D. Bastian, Clerk
Charter Township of Orion
Date: 03. 21. 07

Oakland Brownfield Initiative

Oakland County Brownfield Redevelopment Authority (OCBRA):

On November 29, 2001 the Oakland County Board of Commissioners approved the creation of the Oakland County Brownfield Redevelopment Authority (OCBRA), and in doing so established the initial OCBRA Board and the Bylaws in which all aspects of the OCBRA will follow. The OCBRA meets on a regular basis to continue its work on a number of Brownfield redevelopments under consideration. Under state law, a Brownfield Redevelopment Authority is the way to access the following financing incentives.

Single-Business Tax (SBT) credit: To acquire a SBT credit one must demonstrate a need for incentive to reuse the site due to market conditions or other business factors and also the developer must articulate financial need for the credit. The SBT's are subdivided into Large and Small credits. A large SBT Credit must be approved by the Michigan Economic Growth Authority (MEGA) Board and are in excess of \$1 million dollars. 15 of these large credits are granted per year, 3 of which can be in a non-core community (*for a list of core-communities please see below) . A small SBT Credit must be approved by the MEGA Chair and cannot exceed \$1 million dollars. Up to 30 million dollars in these credits are granted each year. Tax increment financing (TIF) must be pursued for all eligible activities. Please see the following for more details on TIF.

Tax increment financing (TIF): Tax Increment Financing (TIF) reimburses developers for eligible remediation activities as identified in the Brownfield and 381 work plans. TIF captures tax rolls from local and state governmental bodies after a 381 work plan has been approved. Eligible activities are subdivided into those geared toward core and non-core communities. In core communities this financing is available for Baseline Environmental Assessment (BEA), Due Care, and additional response activities. Other eligible activities for core communities include public infrastructure, demolition, site preparation and lead and asbestos abatement. In non-core communities the eligible activities are limited to BEA's, Due Care, and additional response activities. Once eligible activities have been identified an Act 381 Work Plan must be prepared and submitted for approval by the Michigan Department of Environmental Quality.

Assessment Grants - In 2005 Oakland County was awarded a \$400,000 Assessment grant to be used to conduct Environmental Assessment activities for Brownfield properties located throughout Oakland County. \$200,000 will be used to conduct work on Hazardous Substance's sites and the other \$200,000 will be used to conduct work on Petroleum sites. Oakland County awards these monies to developers to pay for portions of the environmental investigations needed for a specific site. These grant dollars help the developer supplement the costs of needed investigation activities

Oakland County Brownfield Remediation Loan Fund- Oakland County was awarded a supplemental grant from the U.S. Environmental Protection Agency (USEPA) in the amount of \$394,350 in 2004. An application was also been made to the USEPA to authorize transition of \$155,650 to this grant from our original USEPA grant funding, for a grant total of \$550,000. \$440,000 of these monies are to be used for loan(s) directed at site clean up. Terms and conditions of these loans are negotiable.

Contact Information

Thomas A. Law

Manager

Oakland County Waste Resource Management

1200 N. Telegraph Rd.

Pontiac, MI 48341

248-858-2113

lawt@oakgov.com

Bradley Hansen

Environmental Program Coordinator

Oakland County Waste Resource Management

1200 N. Telegraph Rd.

Pontiac, MI 48341

248-858-8073

hansenb@oakgov.com

* Core-communities

Ferndale

Hazel Park

Oak Park

Pontiac

Royal Oak Township

Southfield



L. BROOKS PATTERSON
OAKLAND COUNTY EXECUTIVE

As you may already know, Oakland County has been awarded \$400,000 in Federal Brownfield Assessment Grant moneys that will be granted out to Brownfield projects throughout the County. These assessment moneys will be used to fund Phase I and Phase II Environmental Assessments. We are currently taking applications for possible projects to use these grant monies. Six reputable environmental consulting firms have already been chosen by the County to do the environmental assessment work. These consultants are listed below:

Environmental Consulting Firms for 2005-06 Brownfield Assessment Grants:

- | | |
|--------------------------------------|--------------|
| 1. AKT Peerless | 248-615-1333 |
| 2. ASTI Environmental | 810-225-2800 |
| 3. Associated Environmental Services | 248-203-9898 |
| 4. CDM | 313-2305648 |
| 5. ECT | 810-494-5051 |
| 6. SME | 734-454-9900 |

It is our goal that the grant money be spread out throughout the county, so that the county as a whole will benefit from these moneys. We are therefore sending out letters to each of the sixty-one communities in Oakland County asking for support in identifying possible projects in each community.

Since its development, the Oakland County Brownfield Initiative has grown into a proven, results-oriented program that has changed the way contaminated property is perceived, addressed, and managed. We believe that these assessment grants will help clean up contaminated land and further the success of the Oakland Brownfield Initiative.

If you have any questions regarding the assessment grants please feel free to call Brad Hansen at 248-858-8073 or myself at 248-858-2113

Sincerely,

Thomas A. Law
Manager, Waste Resource Management

C.C. Douglas Smith, Director Economic Development and Community Affairs
Bradley Hansen, Environmental Program Coordinator

OAKLAND
BROWNFIELD
INITIATIVE

WASTE RESOURCE
MANAGEMENT

THOMAS A. LAW, MANAGER
2100 PONTIAC LAKE RD
BLDG 41 WEST
WATERFORD, MI 48328

TEL 248.858.1352

FAX 248.858.7998

WWW.OAKGOV.COM/WASTE

PRELIMINARY BROWNFIELD SITE INFORMATION

Project Title			
Name of Applicant:			
Address			
City		Zip Code:	
Contact Name:			
Telephone			
Fax			
E-mail address			
Chief Executive			
Population of City			
<i>SITE DESCRIPTION</i>			
Site name			
Parcel #			
Address			
Major cross roads			
<i>Attach location on a street map and assessor's map</i>			
Current use and activity			
Operational history			
Environmental concerns			
Site Owner Name			
Owner Address			
How the site became contaminated			
If a petroleum site, has LUST Trust funds been used or response taken under the Oil Pollution Act - YES NO			
If owned by applicant, means of taking ownership and date of acquisition			
If not owned by applicant, relationship to owner and role of owner in the work			
Who was responsible for contamination			
How can access be secured			
Any on-going or anticipated environmental enforcement actions			
Existing Zoning:			
Describe Development Potential for Site			
Describe Development Strategy			
Has a Developer Been Selected - YES NO			
If Yes who, if not when			
<i>FINANCIAL COMMITMENT</i>			
What is the total estimated financial commitment to this brownfield project?			
If tax credits or capture through Brownfield Redevelopment Authority is anticipated, would the tax credit or capture be in accordance with local municipal policy? - YES NO			