

2023 BROWNFIELD PLAN AMENDMENT – FOUNDERS LANDING
CITY OF MARQUETTE BROWNFIELD REDEVELOPMENT AUTHORITY
CITY OF MARQUETTE

This 2023 Brownfield Plan Amendment is to remove a City – owned parcel from Eligible Property under the Founders Landing Amended Brownfield Plan approved in July 2009. The City Commission approved the sale of the property with the presumption that no Brownfield Eligible Activities will be reimbursed under the Amended Brownfield Plan and that tax increment revenues will not be captured and will accrue to the taxing jurisdictions.

Background: The original Founders Landing Brownfield Plan was approved in April 2009 and subsequently amended in July 2009 to expand the Eligible Property and increase Brownfield Eligible Activities on portions of the City – owned property that was positioned for sale and private redevelopment. The City retained all waterfront property and other portions of the property for public use.

Over the past 14 years, over \$50 million in private investment and \$8 million in public investment has been made possible by Brownfield Tax Increment Financing (TIF) reimbursement of Brownfield Eligible Activities derived from the increased incremental taxes generated by additional private investment.

Brownfield TIF is reimbursing the costs for Seawall / Boardwalk along the Lake Superior shoreline, the Baraga Avenue extension, improvements to the US-41 roundabout, and the Pier Redevelopment. Brownfield TIF is also reimbursing extraordinary environmental and non-environmental costs incurred by the private developers.

Amendment: This Brownfield Plan Amendment removes a City – owned parcel of land that has been approved for sale for private development.

The property to be removed from the Founders Landing Brownfield Plan Eligible Property is part of Parcel 0510571 of approximately 1.96 acres at the south end of Founders Landing property south of Lakeshore Boulevard and west of the Multi-Use Path.

The legal description and parcel map are attached.

Impact on Taxing Jurisdictions: The removal of the parcel from Eligible Property will benefit taxing jurisdictions by returning the property to tax rolls upon sale and generate tax revenues that will immediately accrue to taxing jurisdictions.

Approval Process: The following is the proposed schedule for consideration of the Founders Landing Brownfield Plan Amendment:

Date	Action	Entity
August 17, 2023	Approve Brownfield Plan Amendment	City of Marquette Brownfield Redevelopment Authority
September 11, 2023	Establish Public Hearing	Marquette City Commission
September 12, 2023	Notices to Taxing Jurisdiction	City of Marquette Brownfield Redevelopment Authority
September 25, 2023	Public Hearing	Marquette City Commission
September 25, 2023	Approve Brownfield Plan Amendment	Marquette City Commission

Resolutions for the City of Marquette Brownfield Redevelopment Authority and the Marquette City Commission are attached.

**PROPOSED PARCEL LEGAL DESCRIPTION
FOR 601 LAKESHORE BOULEVARD
PART OF PIN: 0510571
(FOR BROWNFIELD REMOVAL USE ONLY)**

Lots 37, 38, 39, and 40; and part of Lots 36, 41, 42, and 43; and part of the vacated Genesee Street, Bay De Noquette Street (aka Lake Street), and Mesnard Street; and part of the vacated alley between Lots 41 and 42; and part of the vacated alley between Lots 41, 74, 37, 38, 39, 40; all located in the Plat of Penny and Vaughn's Addition to the City of Marquette, Township Forty-Eight North Range Twenty-Five West (T48N-R25W), Marquette County, Michigan, more particularly described as:

Commencing at the Section corner common to Sections 22, 23, 26, and 27; thence S89°16'22"E along the section line common to said sections 23 and 26 a distance of 2478.85 feet; thence S00°43'38"W perpendicular to said section line 379.70 feet to a point on the easterly Right of Way (R.O.W.) of US-41/M-28, a variable width public R.O.W., and the Point of Beginning;

Thence southerly along said R.O.W. and a curve to the left 95.68 feet, said curve having a radius of 3776.72 feet and a delta of 01°27'05", the chord of which bears S06°11'14"W a distance of 95.67 feet to the northwest corner of a parcel as recorded in Document 2021R-12518 at the Marquette County Register of Deeds (R.O.D.); thence S89°35'04"E along the north line of said parcel 213.43 feet to the northeast corner of said parcel, and a point on the centerline of an alley vacated at the regular meeting of the Marquette City Commission held on November 25th, 1963 and subsequently recorded in Liber 128 of Miscellaneous Records, Page 868 at the R.O.D.; thence S00°37'53"W along the east line of said parcel and said alley centerline 149.91 feet to the southeast corner of said parcel and the northerly R.O.W. of Mesnard Street, a 33 foot wide platted public R.O.W.; thence S89°36'57"E along said northerly R.O.W. a distance of 112.13 feet to the northwest corner of the vacated portion of said Mesnard Street as vacated at the regular meetings of the Marquette City Commission held on June 26th, 1934, November 14th, 1932, and October 3rd, 1932; thence S00°23'03"W along the west line of said Mesnard street vacation 33.00 feet to the southwest corner of said Mesnard Street vacation and the south line of said Penny and Vaughn Plat; thence S89°36'57"E along said plat line 118.07 feet to a point in the vacated westerly half of Bay De Noquette Street (aka Lake Street) as vacated at the regular meetings of the Marquette City Commission held on June 26th, 1934, November 14th, 1932, and October 3rd, 1932, and subsequently recorded in Document 2005R-11903 at the R.O.D.; thence N12°48'41"W 300.97 feet; thence N05°38'04"W 50.25 feet to the centerline of said vacated Bay de Noquette Street; thence N15°02'55"W along said Bay de Noquette centerline 72.22 feet to a point on a curve, which is perpendicular to and 20 foot equidistant from the southerly R.O.W. of Lakeshore Boulevard as recorded in 2005R-05456 at the R.O.D.; thence westerly, parallel with and 20 foot equidistant from said southerly R.O.W., along a curve to the right 342.43 feet, said curve having a radius of 403.00 feet and a delta of 48°41'04", the chord of which bears S66°28'12"W a distance of 332.22 feet; thence N89°11'17"W parallel with and 20 foot equidistant from said southerly R.O.W. a distance of 36.42 feet to the Point of Beginning.

SUBJECT TO an easement for highway purposes as recorded in Document 2013R-09556.

The above described parcel contains 1.96 acres, more or less, and is subject to all mineral rights, mineral reservations, mineral exceptions, easements and building and use restrictions of record, and all other conditions, reservations, exceptions and restrictions as may be contained in any conveyance constituting the recorded chain of title to said premises, and further subject to all applicable zoning laws, ordinances and visible easements, if any.

Prepared by: S. Holmquist

Date: August 3, 2023

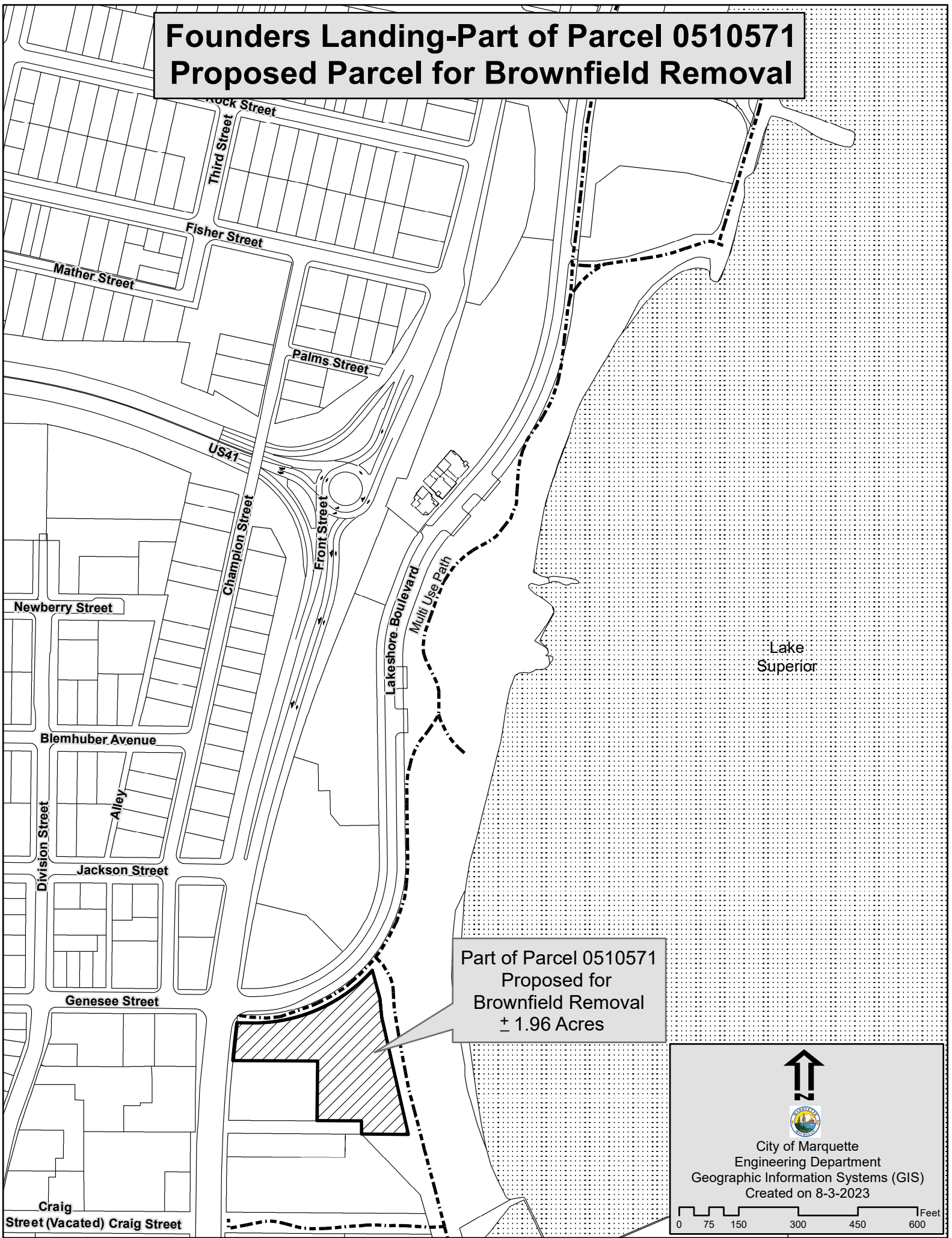
Prepared for: City of Marquette

City of Marquette Engineering Department Job No: MQ23-900

PIN: 0510571

J:\Projects\MQXX-900s Boundary and Easement Surveys\MQ23-900 601 Lakeshore Boulevard - Boundary\Field Construction Related\All Survey\Legal Descriptions\MQ23-900 601 Lakeshore Proposed Parcel - Legal Description (230802).doc

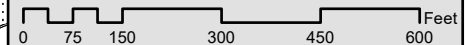
Founders Landing-Part of Parcel 0510571 Proposed Parcel for Brownfield Removal



Part of Parcel 0510571
Proposed for
Brownfield Removal
± 1.96 Acres



City of Marquette
Engineering Department
Geographic Information Systems (GIS)
Created on 8-3-2023



RESOLUTION
Brownfield Plan Amendment – Founders Landing
City of Marquette Brownfield Redevelopment Authority

At a regular meeting of the City of Marquette Brownfield Redevelopment Authority of Marquette, Michigan, held at the Marquette Municipal Service Center, 1100 Wright Street, Marquette, Michigan August 17, 2023 at 8:00 a.m., the following resolution was offered by

Authority Member _____ and supported by

Authority Member _____.

Whereas The Michigan Brownfield Redevelopment Financing Act, Act 381, P.A. 1996 as amended, authorizes municipalities to create a brownfield redevelopment authority to promote the revitalization, redevelopment, and reuse of contaminated, blighted, functionally obsolete, or historic property through tax increment financing of Eligible Activities approved in a Brownfield Plan; and

Whereas the Marquette City Commission (the "Commission") established the Marquette Brownfield Redevelopment Authority (MBRA) under the procedures under Act 381 on September 8, 1997 and certified by the State of Michigan on January 28, 1998 to facilitate the cleanup and redevelopment of Brownfields within the City of Marquette; and,

Whereas, a Brownfield Plan Amendment has been prepared and submitted to remove a City-owned parcel approved for sale from Founders Landing Brownfield Plan Eligible Property; and

Whereas the City of Marquette Brownfield Redevelopment Authority has reviewed the Brownfield Plan Amendment and finds that it meets the requirements of Act 381 and constitutes a public purpose of generating additional tax revenue for taxing jurisdictions; and

Whereas a public hearing on the Brownfield Plan Amendment is anticipated to be held on the regular meeting of the Marquette City Commission on September 25, 2023 and notice of the public hearing and notice to taxing jurisdictions will be provided in compliance with the requirements of Act 381;

Now, Therefore be it Resolved that the City of Marquette Brownfield Redevelopment Authority hereby approves the Brownfield Plan Amendment for Founders Landing subject to final review and approval by the Executive Director and the City Attorney, and recommends approval by the Marquette City Commission; and

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; and,

Be it Further Resolved that any prior resolution, or any part thereof, in conflict with any of the provisions of this Resolution are hereby repealed.

Yes: _____

No: _____

Resolution duly adopted

Jerry Irby, Chair, City of Marquette
Brownfield Redevelopment Authority

Certified to be a true copy

Date

Matt Tuccini, Secretary



RESOLUTION

Brownfield Plan Amendment Approval

Founders Landing

At a regular meeting of the Marquette City Commission held at Marquette City Hall, 300 W. Baraga Avenue, Marquette, Michigan on September 25, 2023, at 6:00 p.m., the following resolution was offered by

Commissioner _____ and supported by

Commissioner _____.

Whereas The Michigan Brownfield Redevelopment Financing Act, Act 381, P.A. 1996 as amended, authorizes municipalities to create a brownfield redevelopment authority to promote the revitalization, redevelopment, and reuse of contaminated, blighted, functionally obsolete, or historic property through tax increment financing of Eligible Activities approved in a Brownfield Plan; and

Whereas the Marquette City Commission (the "Commission") established the City of Marquette Brownfield Redevelopment Authority (MBRA) under the procedures under Act 381 on September 8, 1997 and certified by the State of Michigan on January 28, 1998 to facilitate the cleanup and redevelopment of Brownfields within the City of Marquette; and,

Whereas a Brownfield Plan Amendment has been prepared and submitted to remove a City-owned parcel approved for sale from Founders Landing Brownfield Plan Eligible Property; and

Whereas the City of Marquette Brownfield Redevelopment Authority reviewed the Founders Landing Brownfield Plan Amendment and determined the Brownfield Plan Amendment meets the requirements of Act 381 and constitutes a public purpose of generating additional tax revenue for taxing jurisdictions; and

Whereas the City of Marquette Brownfield Redevelopment Authority approved the Founders Landing Brownfield Plan Amendment at a regular meeting on August 17, 2023 and provided a recommendation to the Marquette City Commission to approve the Brownfield Plan Amendment; and

Whereas a public hearing on the Founders Landing Brownfield Plan Amendment was held on September 25, 2023, and notice of the public hearing and notice to taxing jurisdictions has been provided in compliance with the requirements of Act 381; and

Now, Therefore be it Resolved, Whereas, The Marquette City Commission has reviewed the Founders Landing Brownfield Plan Amendment and finds, in accordance with the requirements of Act 381 that:

- (a) The Brownfield Plan Amendment constitutes a public purpose of generating additional tax revenue for taxing jurisdictions;
- (b) The Brownfield Plan Amendment meets the requirements of Act 381, including a legal description and map of property to be removed as Eligible Property;
- (c) The costs of Eligible Activities will not change with this Brownfield Plan Amendment; and
- (d) The additional tax revenues generated by the private redevelopment of the property will not be captured by the Brownfield Authority and will immediately accrue to taxing jurisdictions; and

Be it Further Resolved that pursuant to the Brownfield Redevelopment Financing Act, Act 381 of the Public Acts of 1996, as amended, being MCL 125.2651, *et seq*, the Marquette City Commission hereby approves the Founders Landing Brownfield Plan Amendment.

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; and,

Be it Further Resolved that any prior resolutions, or any part thereof, in conflict with any of the provisions of this Resolution are hereby repealed.

Yes:_____

No:_____

Resolution duly adopted

Cody Mayer, Mayor
City of Marquette

Certified to be a true copy,

Date

Kyle Whitney, City Clerk