

ORDINANCE NO. 333

AN ORDINANCE TO ADOPT AND APPROVE AN AMENDMENT TO THE DEVELOPMENT AND TAX INCREMENT FINANCING PLAN OF THE CITY OF BESSEMER DOWNTOWN DEVELOPMENT AUTHORITY PURSUANT TO THE PROVISIONS OF ACT 197, PUBLIC ACTS OF MICHIGAN OF 1975, AS AMENDED.

WHEREAS, pursuant to Ordinance No. 278 of the City of Bessemer (the "City") adopted on December 28, 1987, the City Council approved the Development and Tax Increment Financing Plan (the "Original Plan") of the City of Bessemer Downtown Development Authority (the "Authority"); and

WHEREAS, on June 16, 2003, the City Council approved an amendment to the Original Plan; and

WHEREAS, the Original Plan, as amended by the 2003 amendments (hereinafter referred to as the "Plan"), is on file with the City Clerk; and

WHEREAS, in accordance with the provisions of Act 197, Public Acts of Michigan, 1975, as amended ("Act 197"), the Authority has prepared and recommended for approval additional amendments to the Plan entitled "Amendment No. 2 to Development and Tax Increment Financing Plan", which amendments have been presented to the City Council and are on file with the City Clerk (the "2006 Amendments"); and

WHEREAS, on December 4, 2006, the City Council held a public hearing on the 2006 Amendments pursuant to Act 197; and

WHEREAS, the City Council has given the taxing jurisdictions in which the Development Area of the Authority is located an opportunity to meet with the City Council and to express their views and recommendations regarding the 2006 Amendments, as required by Act 197; and

WHEREAS, after consideration of the 2006 Amendments, the City Council has determined to approve the 2006 Amendments to the Plan.

NOW, THEREFORE, THE CITY OF BESSEMER ORDAINS:

1. Findings.

(a) The Plan, as amended by the 2006 Amendments, meets the requirements set forth in Act 197.

(b) The proposed method of financing the development is feasible and the Authority has the ability to arrange the financing.

(c) The development is reasonable and necessary to carry out the purposes of Act 197.

(d) The land included within the Development Area to be acquired is reasonably necessary to carry out the purposes of Act 197 and the Plan, as amended by the 2006 Amendments, in an efficient and economically satisfactory manner.

(e) The Plan, as amended by the 2006 Amendments, is in reasonable accord with the Master Plan of the City.

(f) Public services, such as fire and police protection and utilities, are or will be adequate to service the Development Area.

(g) Changes in zoning, streets, street levels, intersections and utilities, to the extent required by the 2006 Amendments, are reasonably necessary for the Plan, as amended by the 2006 Amendments, and for the City.

2. Public Purpose. The City Council hereby determines that the Plan, as amended by the 2006 Amendments, constitutes a public purpose.

3. Best Interest of the Public. The City Council hereby determines that it is in the best interests of the public to proceed with the 2006 Amendments to the Plan in order to halt property value deterioration, to increase property tax valuation, to eliminate the causes of the deterioration in property values, and to promote growth in the Development Area.

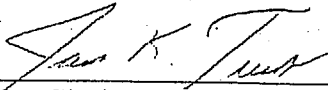
4. Approval and Adoption of 2006 Amendments. The 2006 Amendments are hereby approved and adopted. A copy of the Plan, the 2006 Amendments and all later amendments thereto shall be maintained on file in the City Clerk's office.

5. Conflict and Severability. All ordinances, resolutions and orders or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed, and each section of this Ordinance and each subdivision of any section hereof is hereby declared to be independent, and the finding or holding of any section or subdivision hereof to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision of this Ordinance.

6. Paragraph Headings. The paragraph headings in this Ordinance are furnished for convenience of reference only and shall not be considered to be a part of this Ordinance.

7. Publication and Recordation. This Ordinance shall be published in full promptly after its adoption in Ironwood Daily, a newspaper of general circulation in the City qualified under State law to publish legal notices, and shall be recorded in the Ordinance Book of the City, which recording shall be authenticated by the signature of the Mayor and City Clerk.

I hereby certify that the foregoing is a true and complete copy of Ordinance No. 333 adopted by the City Council of the City of Bessemer, County of Gogebic, State of Michigan, at a regular meeting held on December 4, 2006, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.



City Clerk

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8. Effective Date. The Ordinance is hereby determined by the City Council to be immediately necessary for the interests of the City and shall be in full force and effect from and after its passage and publication as required by law.


Passed and adopted by the City Council of the City of Bessemer, County of Gogebic, State of Michigan, on December 4, 2006.

AYES: Members Matonich, Peterson, Carpenedo, McDonald

ABSENT: Members Olsen

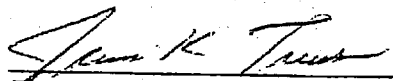
NAYS: Members _____

We hereby certify that the above Ordinance was duly adopted by the City Council of the City of Bessemer on the 4th day of December, 2006.



Douglas E. Olsen, Mayor

First Reading: November 20, 2006
Second Reading: December 4, 2006



James K. Trudgeon, City Clerk