



## **BROWNFIELD PLAN FOR:**

**1140 Broadway Street Redevelopment, Ann Arbor, Michigan**

**Washtenaw County Brownfield Redevelopment Authority**

c/o Washtenaw County Office of Community & Economic Development  
415 W. Michigan Avenue, Suite 2200  
Ypsilanti, Michigan 48197

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## PROJECT SUMMARY

Project Name: 1140 Broadway Street Redevelopment

Estimated Investment: \$146,000,000

Project Location: The project site is bounded by Broadway Street to the northwest, Maiden Lane to the south-southwest, Nielsen Court to the southeast, and Traver Creek to the north. The eligible property is comprised of the following eight parcels of land and contiguous public rights of way:

- 1120 Broadway Street (09-09-21-302-024),
- 1140-1142 Broadway Street (09-09-21-302-046),
- 1156 Broadway Street (09-09-21-302-022),
- 1160-1170 Broadway Street (09-09-21-302-047),
- 110 Broadway Street/915 Maiden Lane (09-09-21-302-026),
- 923/931 Maiden Lane (09-09-21-302-049),
- 943 Maiden Lane (09-09-21-302-029), and
- 959 Maiden Lane (09-09-21-302-045).

Property Eligibility: The Property meets the definition of a facility as defined in Part 201 of the Michigan Natural Resources and Environmental Protection Act (P.A. 451 of 1994, as amended). Soil and groundwater are contaminated with volatile organic compounds, principally tetrachloroethene (PCE), and metals at concentrations greater than generic residential use criteria promulgated by the Michigan Department of Environmental Quality. The public rights of way for Maiden Lane, Broadway Street, and Nielsen Court are eligible because they are contiguous to the eligible parcels.

Eligible Activities: Beyond capturing funds for the State Revolving Fund and the Local Brownfield Revolving Fund (LBRF), this plan contains the following eligible activities:

**Department Specific Activities** – Preparation of two Act 381 Work Plans (MDEQ request), baseline environmental assessment (BEA) and due care activities, additional response activities that are more protective of public health, safety and welfare than required for due care, and 15% in contingency costs.

**Non-Environmental Activities** - Preparation of an Act 381 Work Plan, demolition, infrastructure improvements, site preparation, additional activities, and 6.8% in contingency costs.

**Other Activities** – Preparation of a Brownfield Plan

Eligible Costs: Department Specific – \$5,673,683

Non-Environmental – \$5,204,760

Other - \$20,000

Total – \$10,898,443

Capture Period: Total capture period – 9 years  
Developer Reimbursement – 8 years (\$10,898,443)  
Funding of LBRF – 9 years (\$2,260,626)

Project Summary: The redevelopment plan for the property is a mixed-use urban community with approximately 549 rental units, approximately 71 for-sale condominium units, and 4,635 square feet of retail space in an area underserved for residential use that will increase the City's housing supply, amidst a period of population and employment growth. Studio, 1-bedroom, 2-bedroom, and live-work residential units will be incorporated into the development to accommodate a diversity of incomes and lifestyles. The project is making a substantial commitment to address housing affordability by reserving fifteen dwelling units for live/work housing and an additional fifteen rental units for renters earning 60% of the area median income (AMI). The commercial portion of the development along Maiden Lane may contain a café, coffee shop, market, or convenience business. The project is ideally situated to provide its residents an easily accessible urban social life while also providing a quiet atmosphere

The design incorporates many community amenities for the residents, including retail space, a pool, a landscaped courtyard with a green roof, a gym/exercise space, bicycle parking, and more. Automobile parking will be primarily accommodated by two above grade parking structures located within Building A (six-stories) and on the ground floor of Building C (one-story). Supplemental on-street parking will also be available. Two publically accessible roads will be developed on the site. One will run east-west and serve as a thoroughfare connecting Broadway Street to Nielsen Court. The other will run north-south and connect Maiden Lane to the aforementioned thoroughfare. The project is located within walking distance of University of Michigan Hospital, Kerrytown, downtown Ann Arbor and numerous parks and nature areas, including: Fuller Park, Riverside Park, Cedar Ben Nature Area, Plymouth Parkway Park, and Argo Nature Area.

# I. INTRODUCTION

## A. PLAN PURPOSE

The Washtenaw County Brownfield Redevelopment Authority (Authority; WCBRA), duly established by resolution of the Washtenaw County Board of Commissioners, pursuant to the Brownfield Redevelopment Financing Act, Michigan Public Act 381 of 1996, MCLA 125.2651 et. seq., as amended (Act 381), is authorized to exercise its powers within the limits of the Washtenaw County, acting on behalf of its member communities. The purpose of this Brownfield Plan (the Plan), to be implemented by the WCBRA, is to satisfy the requirements of Act 381 for including the eligible property described below, designated as 1140 Broadway Street Redevelopment in Ann Arbor, Michigan (the “Property”), in a Brownfield Plan. The Property is located within the boundaries of the City of Ann Arbor, a WCBRA member community.

The Authority proposes to implement this Plan to promote economic development and brownfield redevelopment within the County. This Plan allows the Authority to capture incremental taxes (tax increment revenues; TIR) generated by redevelopment of the Property for reimbursement of the developer, Morningside Lower Town, LLC (Morningside), for the costs of eligible activities required to prepare the Property for safe redevelopment and reuse (see Section III), reimbursement of the Authority’s actual administrative and operations costs, and funding of the Authority’s Local Brownfield Revolving Fund (LBRF). The capture and use of TIR generated by Morningside’s redevelopment are necessary to ensure the economic viability of the project.

## B. PROPERTY DESCRIPTION

The Property consists of eight tax parcels occupying 6.41 acres of vacant land at the northwest corner of Maiden Lane and Nielsen Court in the City of Ann Arbor. The eligible Property also includes contiguous portions of the public rights of way for Maiden Lane, Nielsen Court, and Broadway Street. The parcel addresses and respective tax identification numbers are as follows:

PRIMARY ADDRESS(S)	TAX ID
1120 Broadway Street	09-09-21-302-024
1140-1142 Broadway Street	09-09-21-302-046
1156 Broadway Street	09-09-21-302-022
1160-1170 Broadway Street	09-09-21-302-047
915 Maiden Lane and 1100 Broadway Street	09-09-21-302-026
923 and 931 Maiden Lane	09-09-21-302-049
943 Maiden Lane	09-09-21-302-029
959 Maiden Lane	09-09-21-302-045

Additional property information is provided in Section III (G).

## C. BASIS OF ELIGIBILITY

The Property is eligible for inclusion in this Brownfield Plan in accordance with MCL 125.2652(n) because the eight parcels of land that comprise the Property individually meet, or are contiguous to parcels that meet, the definition of a “facility” pursuant to Part 201 of Michigan’s Natural Resources and Environmental Protection Act (1994 P.A. 451, as amended), hereinafter “Part 201”. The Property has been demonstrated to be contaminated with hazardous substances at levels above generic residential use criteria established pursuant to Part 201.

Morningside is not liable for contamination existing on the Property. Morningside has complied with CERCLA All Appropriate Inquiries and the Part 201 Baseline Environmental Assessment process to qualify for limitations to environmental liability afforded purchasers of brownfield sites under federal and state environmental statutes. No viable party to which liability for the existing contamination on the Property can be assigned is known to exist.

## **D. PROJECT DESCRIPTION**

### **THE PROPERTY**

The Property location is ideal for development of additional residential options north of downtown Ann Arbor; however, redevelopment of the Property is hindered by the environmental challenges created by the presence of contaminated soil and groundwater on the Property. The western portion of the Property had been developed with residential dwellings, stables, and a junkyard by 1880. By 1937, two commercial storefronts had been constructed on the southwestern portion of the Property, and the central and eastern portions of the Property were developed as farmland. Beginning circa 1962, the residential and farmland portions of the Property were replaced with commercial businesses, including a grocery store, self-service car wash, gasoline filling station, and laundromats. By 2009, all structures and most of the associated parking lots had been demolished, leaving the Property vacant, except for residual pavements and underground utilities.

### **THE REDEVELOPMENT**

Morningside is committed to developing uncommonly good residences and mixed-use developments in sought-after communities in the Midwest. Each project they take on must improve a community's image by offering luxurious living at a competitive price, creating space in which commercial and retail tenants and profit, and contributing to the architectural excellence of the community. The firm draws upon more than two decades of upscale development experience to create exciting infill and mixed-use properties that merge consumer understanding with an urban planner's vision to create longstanding community resources.

The redevelopment plan for the property is a mixed-use urban community with approximately 549 rental units, approximately 71 for-sale, condominium units, and approximately 4,635 square feet of commercial/retail space in an area underserved for residential use that will increase the City's housing supply, amidst a period of population and employment growth. Studio, 1-bedroom, 2-bedroom, and live-work residential units will be incorporated into the development to accommodate a diversity of incomes and lifestyles. The project is making a substantial commitment to address housing affordability by reserving fifteen dwelling units for live/work housing and an additional fifteen rental units for renters earning 60% of the area median income (AMI). The commercial portion of the development along Maiden Lane may contain a café, coffee shop, market, or convenience business. The project is ideally situated to provide its residents an easily accessible urban social life while also providing a quiet atmosphere.

The design incorporates many community amenities for the residents, including retail space, a pool, a landscaped courtyard with a green roof, a gym/exercise space, bicycle parking, and more. Automobile parking will be primarily accommodated by two above grade parking structures located within Building A (six-stories) and on the ground floor of Building C (one-story). Supplemental on-street parking will also be available. Two publically accessible roads will be developed on the site. One will run east-west and serve as a thoroughfare connecting Broadway Street to Nielsen Court. The other will run north-south and connect Maiden Lane to the aforementioned thoroughfare. The project is located within walking distance of University of Michigan Hospital, Kerrytown, downtown Ann Arbor and numerous parks and nature areas, including: Fuller Park, Riverside Park, Cedar Ben Nature Area, Plymouth Parkway Park, and Argo Nature Area. Copies of proposed preliminary site development or concept plans that illustrate how the proposed redevelopment and land uses will be situated on the subject property and document access to all necessary utilities and infrastructure are attached in Appendix D.

Morningside acquired the Property in late 2016 and anticipates starting construction in late 2017. The project will be constructed in three phases, with completion in approximately six years. The total anticipated investment for the project is approximately \$146,000,000, which will create approximately 25 new full-time commercial, retail, leasing, and maintenance jobs and 200 - 250 construction jobs. The project will add significant tax base to the City of Ann Arbor, as well as stimulate additional mixed-use development and economic activity in the area.

## **BROWNFIELD CONDITIONS**

Numerous historical site activities involved the use of hazardous materials and petroleum products. Results from environmental assessments of the property revealed the presence of metals and/or volatile organic compounds (VOCs), principally tetrachloroethene (PCE), in soil and groundwater throughout the Property. VOCs associated with gasoline were identified in soil and groundwater near a former underground gasoline storage tank associated with a former gasoline service station and car wash on the Property. Soil and groundwater were contaminated with inorganic substances, including arsenic, iron, manganese, sodium, nitrate, sulfate, and chloride. A recent subsurface investigation indicated PCE was present at concentrations of approximately 15,000 µg/l in groundwater near the eastern border of the Property. Results from an environmental assessment of the east-adjointing properties demonstrated that the plume has migrated eastward off the Property and extends past Nielson Court.

The presence of VOC impacts in soil and groundwater on the Property pose a vapor intrusion threat to occupants of buildings constructed on the site and require special management of excess soil and dewatering effluent (groundwater) generated during construction. Since the Property is located less than one-quarter mile west of the Huron River, and the PCE plume is known to have migrated off-site toward the river, the contaminated groundwater poses a water quality threat to the river.

Threats to human health and the environment associated with known site contamination will be reduced or eliminated by the following project design elements and planned response actions:

- Use of vapor intrusion (VI) mitigation systems or open parking structures to mitigate exposure risks;
- Removal of approximately 6,000 tons of contaminated soil (source material);
- Construction of a building and impervious pavement over most of the contaminated soil, which will reduce precipitation infiltration and contaminant concentrations in groundwater; and
- Installation of a permeable reactive barrier (PRB) to reduce concentrations of VOCs in groundwater migrating off the Property.

## **II. GENERAL DEFINITIONS AS USED IN THIS PLAN**

All words or phrases not defined herein shall have the same meaning as such words and phrases included in Act 381.

## **III. BROWNFIELD PLAN**

### **A. DESCRIPTION OF COSTS TO BE PAID WITH TAX INCREMENT REVENUES AND SUMMARY OF ELIGIBLE ACTIVITIES**

Morningside will be reimbursed for the costs of eligible activities necessary to prepare the Property for redevelopment. The costs of eligible activities included in, and authorized by, this Plan will be reimbursed with incremental local tax revenues and state school operating tax revenues generated from the Property after redevelopment and captured by the WCBRA, subject to any limitations and conditions described in this Plan, approvals of the Michigan Department of Environmental Quality (MDEQ) and Michigan



Strategic Fund (MSF) for school operating tax capture, and the terms of a Reimbursement Agreement between Morningside and the Authority (the “Reimbursement Agreement”). Administrative expenses of the WCBRA will be reimbursed through capture of incremental local taxes. If available, this Plan will capture all new personal property taxes generated by this project.

The estimated total cost of eligible Department Specific, Non-environmental, and Brownfield Plan Preparation Activities eligible for reimbursement from tax increment revenues under this Plan are \$5,673,683 and \$5,204,760, and \$20,000, respectively. The eligible activities are summarized in Table 1 (Appendix A). The individual costs of eligible Department specific and Non-environmental activities eligible for reimbursement are estimated and may increase or decrease, depending on the nature and extent of unknown conditions encountered during redevelopment.

Eligible Department Specific Activities include baseline environmental assessment (BEA) and due care activities; response activities that are more protective of public health, safety and welfare than required for due care (the Response Activities); preparation of two Act 381 Work Plans; and 15% in contingency costs for field/construction-related activities.

BEA activities include a Phase I and Phase II environmental site assessments (ESAs) and preparation of a BEA report, all of which were conducted prior to Brownfield Plan approval. Due Care activities include the following:

- Due care planning and assessments conducted prior to Brownfield Plan approval;
- Preparation of a Plan for Compliance with Due Care, Documentation of Due Care Compliance, and site specific Health and Safety Plan;
- Soil gas assessment(s) needed for VI mitigation design;
- Installation of VI mitigation systems;
- Management and disposal of contaminated soil and dewatering effluent;
- Fence repair as a means of third-party protection;
- Trackout and dust control;
- Abandoning existing monitoring wells; and
- Design and construction management soft costs.

The Response Activities consist of environmental and geotechnical assessments, design, and installation activities associated with the PRB.

Eligible Non-environmental Activities consist of the following:

- Demolition,
- Infrastructure improvements,
- Site preparation,
- Construction of parking structures and urban stormwater systems,
- Design and other soft costs,
- Proportional construction management costs, and
- Preparation of an Act 381 Work Plan.

Demolition activities include the removal and disposal of residual pavements and underground utilities materials on site and sewer disconnects. Infrastructure improvements include improvements roadways and streetscapes in the adjoining street rights-of-way (ROW), relocation of traffic signals, addition of two turn lanes and two Rectangular Rapid Flashing Beacons (RRFBs), utility pole relocation, bus stop

improvements, and DTE gas infrastructure improvements. Eligible site preparation activities include the excavation of unsuitable soils. Additional activities include the construction of two parking structures and a subgrade urban stormwater detention system. Eligible soft costs include design, engineering, construction management, and general condition costs.

No costs of eligible activities will be qualified for reimbursement except to the extent permitted in accordance with the terms and conditions of the Reimbursement Agreement and Section 2 of Act 381 of 1994, as amended (MCL 125.2652). The Reimbursement Agreement and this Plan will dictate the total cost of eligible activities, \$10,898,443, subject to reimbursement. As long as the total cost limits described in this Plan or in the Department Specific and Non-environmental Costs categories are not exceeded, line item eligible activities, tasks, and costs within each respective Department Specific or Non-environmental category may be adjusted without Plan amendment after the date of this Plan, to the extent the adjustments do not violate the terms of Act 381. Eligible activities conducted prior to Brownfield Plan approval will be reimbursed to the extent allowed by Act 381.

No incremental local taxes will be captured to pay the administrative and operations costs of the Authority.

Pursuant to Act 381, the Authority may contribute to its LBRF with tax increment revenues in excess of the amount needed to reimburse Morningside for the costs of eligible activities. As part of this Plan, tax increment revenues in the amount of \$2,260,626 will be captured and deposited in the Authority's LBRF.

## **B. ESTIMATE OF CAPTURED TAXABLE VALUE AND TAX INCREMENT REVENUES**

The estimated 2017 taxable value of the Property is \$1,800,000, which is the initial taxable value for this Plan. This value was obtained from the City of Ann Arbor's Online Property and Land Search. The anticipated taxable value at project completion is \$49,425,590; however, the actual taxable value will be determined by the City Assessor. As a result of the six-year construction plan, the taxable value for years 2018-2023 represent partial completion of the project. The final taxable value is estimated to be realized in year 2024, after project completion in 2023.

Estimated taxable values, tax increment revenues to be captured, impacts on taxing jurisdictions, and eligible activities reimbursement cash flows are presented in Table 2 (Appendix B). The annual increase in taxable value of the Property is assumed to be 1% for purposes of this Plan. The annual incremental taxable value and captured tax increment revenue will be determined by the actual assessed taxable value of the Property and millages approved by the relevant taxing jurisdictions, respectively.

The WCBRA will capture 100% of the available incremental local and school operating tax revenues generated from the Property to reimburse Morningside for the costs of eligible activities under this Plan in accordance with the Reimbursement Agreement. Additionally, tax revenue associated with all new personal property will be captured as part of this plan. The Principal Residence Tax Exemption (PRE) was assumed for the for-sale condominium units when calculating the capturable incremental School Operating Taxes. The project is not in the Ann Arbor Downtown Development District or other tax increment financing authority district. Reimbursement using incremental school operating tax revenues is further limited to those eligible activities and costs approved by the MDEQ or MSF or are otherwise eligible under Act 381.

It is the intent of this Plan to provide for the proportional capture of all eligible tax increments in whatever amounts and in whatever years they become available until the eligible cost reimbursement and LBRF funding described in this Plan are complete or for the maximum duration provided in Act 381 (MCLA 125.2663(22)), whichever is shorter. It is estimated that all eligible costs will be reimbursed within 8 years. Capture to fund the LBRF will occur concurrently with developer reimbursement and will be complete within the 9 years of capture. Except for those activities identified in this Plan as eligible for reimbursement only with incremental local taxes, if the MDEQ or MSF elect not to participate in this Project, or declines to approve certain eligible activities for reimbursement with incremental state school

taxes, the other taxing entities will contribute only that proportionate share of capture (the local taxes) and reimbursement that would be contributed if the MDEQ or MSF had approved capture of state school taxes.

### **C. METHOD OF FINANCING PLAN COSTS AND DESCRIPTION OF ADVANCES BY THE MUNICIPALITY**

Morningside will be responsible for financing the costs of eligible activities included in this Plan. Neither the WCBRA nor the City of Ann Arbor will advance any funds to finance the eligible activities. All Plan financing commitments and activities and the cost reimbursements authorized under this Plan shall be governed by the Reimbursement Agreement. The inclusion of eligible activities and estimates of costs to be reimbursed in this Plan is intended to authorize the WCBRA to fund such reimbursements. The amount and source of any tax increment revenues that will be used for purposes authorized by this Plan, and the terms and conditions for such use and upon any reimbursement of the expenses permitted by the Plan, will be provided solely under the Reimbursement Agreement.

Reimbursements under the Reimbursement Agreement shall not exceed the cumulative eligible costs limit described in this Plan, unless the Plan is further amended.

### **D. MAXIMUM AMOUNT OF NOTE OR BONDED INDEBTEDNESS**

Not applicable.

### **E. DURATION OF BROWNFIELD PLAN**

The duration of this Brownfield Plan for the Property shall not exceed the shorter of the following: 1) reimbursement of all eligible costs, cumulatively not to exceed \$10,898,443 plus funding of the LBRF in the amount of \$2,260,626 or 2) the maximum duration provided for in Act 381 (MCLA 125.2663(22)). The date for beginning tax capture shall be 2018, unless otherwise amended by the WCBRA. It is anticipated that the eligible expenses will be fully reimbursed and the LBRF will be fully funded within 9 years.

### **F. ESTIMATED IMPACT OF TAX INCREMENT FINANCING ON REVENUES OF TAXING JURISDICTIONS**

Available incremental local and school operating tax revenues generated by the project will be captured by the WCBRA until all incurred eligible brownfield redevelopment costs and WCBRA administrative expenses are reimbursed, and the LBRF is funded, to the extent described in this Plan. The tax revenues available for capture by the WCBRA will be split between local and state sources, with approximately 62.5% being reimbursed with local tax revenues and approximately 37.5% being reimbursed with school operating tax revenues, based on the millage rates obtained from the City of Ann Arbor Treasurer's Office and the Principle Residence Exemption applied only to residential units designated for sale. The impact of the WCBRA incremental tax capture on local taxing jurisdictions is presented in Tables 2A-2C and Table 3 (Appendix B).

### **G. LEGAL DESCRIPTION, PROPERTY MAP, PROPERTY CHARACTERISTICS AND PERSONAL PROPERTY**

The Property consists of 6.41 acres having a planned address of 1140 Broadway Street. A Property survey and legal description is included in Appendix C.

## **H. ESTIMATES OF RESIDENTS AND DISPLACEMENT OF FAMILIES**

No occupied residences are involved in the redevelopment, no persons reside on the Property, and no families or individuals will be displaced as a result of this development. Therefore, a demographic survey and information regarding housing in the community are not applicable and are not needed for this Plan.

## **I. PLAN FOR RELOCATION OF DISPLACED PERSONS**

No persons will be displaced as a result of this development; therefore, a plan for relocation of displaced persons is not applicable and is not needed for this Plan.

## **J. PROVISIONS FOR RELOCATION COSTS**

No persons will be displaced as result of this development and no relocation costs will be incurred; therefore, provision for relocation costs is not applicable and is not needed for this Plan.

## **K. STRATEGY FOR COMPLIANCE WITH MICHIGAN'S RELOCATION ASSISTANCE LAW**

No persons will be displaced as result of this development; therefore, no relocation assistance strategy is needed for this Plan.

## **L. DESCRIPTION OF THE PROPOSED USE OF LOCAL BROWNFIELD REVOLVING FUND (LBRF)**

The Authority has established a Local Site Remediation Revolving Fund (LBRF) in accordance with Act.381. No funds from the WCBRA Local Site Remediation Revolving Fund (LBRF) will be used to finance or reimburse eligible activities described in this Brownfield Plan.

Tax increment revenues in the amount of \$2,260,626 will be captured and deposited in the Authority's LBRF. The LBRF funding will be captured at a rate of 3% of the total annual tax increment capture beginning in 2018 and continuing through the year in which all eligible activities have been reimbursed. After completion of the reimbursement of all eligible activities, \$1,821,540 will be captured to complete LBRF funding. However, in the event a reimbursement period cap is imposed on the project and the reimbursement of the Developer for reimbursable eligible activities extends to the maximum of that cap, the reimbursement period cap shall not apply to funding of the LBRF, and \$2,260,626 of Tax Increment Revenue will still be deposited in the LBRF, regardless of whether the Developer has been fully reimbursed for all actual reimbursable eligible costs. The LBRF funds will be used to support future redevelopment of brownfield sites within Washtenaw County.

## **M. OTHER MATERIAL THAT THE AUTHORITY OR GOVERNING BODY CONSIDERS PERTINENT**

This plan does not include capture to reimburse actual administrative and operating expenses of the WCBRA.

On December 3, 2003, the Washtenaw County Board of Commissioners adopted an Amendment to the Washtenaw County Brownfield Plan, which was the Brownfield Plan for the Broadway Village at Lower Town redevelopment project previously proposed for the Property. Since neither the Broadway Village at Lower Town redevelopment project nor any associated eligible activities had occurred for more than five years after approval of the original Brownfield Plan Amendment, on March 1, 2017, the Washtenaw County Board of Commissioners terminated the existing Brownfield Plan (Resolution 17-037; Appendix E) pursuant to Section 16.(8)(b) of Act 381 of the Public Acts of 1996, as amended.

**APPENDIX A**  
**SUMMARY OF ELIGIBLE ACTIVITIES AND COSTS**

**TABLE 1**  
**BROWNFIELD ELIGIBLE ACTIVITIES COST SUMMARY**  
**1140 BROADWAY STREET REDEVELOPMENT**  
**073987.02**  
**10/25/17**

ELIGIBLE ACTIVITIES	TOTAL ELIGIBLE COST
<b>ELIGIBLE DEPARTMENT SPECIFIC (DEQ) ACTIVITIES<sup>(1)</sup></b>	
<b>BEA Activities<sup>(2)</sup></b>	
Phase I ESA	\$ 29,000
BEA Report	
<b>Due Care Activities</b>	
Due Care Plan - Construction <sup>(2)</sup>	
Due Care Plan - Future Use <sup>(2)</sup>	
Site-Specific Health & Safety Plan <sup>(2)</sup>	
Documentation of Due Care Compliance <sup>(2)</sup>	
Due Care Site Investigation	
Fence Repair	
Vapor Intrusion Mitigation	
Excavation, Transportation and Disposal of Contaminated Soil	
Dust and Track-out Control	
Excavation Monitoring	
Dewatering Effluent Characterization and Disposal	
Water and Sewer Seals Installation	
Existing Monitoring Wells Abandonment	
Project Design, Engineering, Management and Coordination	
	\$ 3,648,550
<b>Additional Response Activities</b>	
Design and Installation of Permeable Reactive Barrier (PRB)	
PRB Installation Monitoring	
Monitoring Well Installation	
	\$ 1,239,000
<b>Act 381 Work Plans (2 @ \$15,000; at MDEQ request)<sup>(2)</sup></b>	\$ 30,000
Subtotal Environmental Activities	\$ 4,946,550
Contingency (15%)	\$ 727,133
<b>Total Environmental Activities</b>	<b>\$ 5,673,683</b>
<b>ELIGIBLE NON-ENVIRONMENTAL (MSF) ACTIVITIES<sup>(1)</sup></b>	
<b>Demolition - Remaining Pavements and Utilities</b>	\$ 90,000
<b>Infrastructure Improvements</b>	
Paving and Streetscapes	
Traffic Signals	
Bus Stop Improvements	
Utility Relocation	
DTE Gas Infrastructure	
	\$ 1,449,000
<b>Site Preparation - Unsuitable Soil Removal</b>	\$ 45,000
<b>Additional Activities</b>	
Parking Structure	
Urban Stormwater Systems	
	\$ 2,761,760
<b>Eligible Soft Costs</b>	
Architectural, Engineering Design, and Surveying <sup>2</sup>	
Site Construction Management	
General Conditions	
	\$ 520,000
<b>Act 381 Work Plan<sup>2</sup></b>	\$ 15,000
Subtotal Non-Environmental Activities	\$ 4,880,760
Contingency	\$ 324,000
<b>Total Non-Environmental Activities</b>	<b>\$ 5,204,760</b>
<b>BROWNFIELD PLAN</b>	
<b>Brownfield Plan<sup>2</sup></b>	\$ 20,000
<b>TOTAL ELIGIBLE ACTIVITIES</b>	<b>\$ 10,898,443</b>

**Notes:**

<sup>(1)</sup> Lump sum cost estimates are based on engineering, contractor, or developer estimates or consultant experience.

<sup>(2)</sup> These costs are not included in the contingency calculation.

**APPENDIX B**  
**SUMMARY OF TAX INCREMENT REVENUE (TIR) CAPTURE AND TIR**  
**REIMBURSEMENT ALLOCATION**

**TABLE 2A.**  
**Tax Increment Revenue Capture Estimates**  
**Non-Personal Residence Exempt Rental Units**  
1140 Broadway Street Redevelopment  
Ann Arbor, Michigan  
10/25/17

Estimated Taxable Value (TV) Increase Rate: 1% per year

Plan Year	1	2	3	4	5	6	7	8	9	TOTAL	
Calendar Year <sup>1</sup>	2018	2019	2020	2021	2022	2023	2024	2025	2026		
*Base Taxable Value	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	
Estimated New TV	\$ 3,666,667	\$ 11,511,078	\$ 24,165,887	\$ 28,570,353	\$ 37,719,495	\$ 42,225,789	\$ 42,648,047	\$ 43,074,527	\$ 43,505,272		
Incremental Difference (New TV - Base TV)	\$ 1,866,667	\$ 9,711,078	\$ 22,365,887	\$ 26,770,353	\$ 35,919,495	\$ 40,425,789	\$ 40,848,047	\$ 41,274,527	\$ 41,705,272		
<b>School Capture</b>											
	Millage Rate										
State Education Tax (SET)	6.0000	\$ 11,200	\$ 58,266	\$ 134,195	\$ 160,622	\$ 215,517	\$ 242,555	\$ 245,088	\$ 247,647	\$ 250,232	\$ 1,565,322
School Operating Tax	17.7951	\$ 33,218	\$ 172,810	\$ 398,003	\$ 476,381	\$ 639,191	\$ 719,381	\$ 726,895	\$ 734,484	\$ 742,149	\$ 4,642,512
<b>School Total</b>	<b>23.7951</b>	<b>\$ 44,418</b>	<b>\$ 231,076</b>	<b>\$ 532,198</b>	<b>\$ 637,003</b>	<b>\$ 854,708</b>	<b>\$ 961,936</b>	<b>\$ 971,983</b>	<b>\$ 982,131</b>	<b>\$ 992,381</b>	<b>\$ 6,207,834</b>
<b>Local Capture</b>											
	Millage Rate										
County Operating	4.5215	\$ 8,440	\$ 43,909	\$ 101,127	\$ 121,042	\$ 162,410	\$ 182,785	\$ 184,694	\$ 186,623	\$ 188,570	\$ 1,179,600
Parks	0.7084	\$ 1,322	\$ 6,879	\$ 15,844	\$ 18,964	\$ 25,445	\$ 28,638	\$ 28,937	\$ 29,239	\$ 29,544	\$ 184,812
EECS County	0.1987	\$ 371	\$ 1,930	\$ 4,444	\$ 5,319	\$ 7,137	\$ 8,033	\$ 8,117	\$ 8,201	\$ 8,287	\$ 51,839
Vet Relief	0.1000	\$ 187	\$ 971	\$ 2,237	\$ 2,677	\$ 3,592	\$ 4,043	\$ 4,085	\$ 4,127	\$ 4,171	\$ 26,090
Roads	0.5000	\$ 933	\$ 4,856	\$ 11,183	\$ 13,385	\$ 17,960	\$ 20,213	\$ 20,424	\$ 20,637	\$ 20,853	\$ 130,444
HCMA	0.2146	\$ 401	\$ 2,084	\$ 4,800	\$ 5,745	\$ 7,708	\$ 8,675	\$ 8,766	\$ 8,858	\$ 8,950	\$ 55,987
Community College Operating	3.4360	\$ 6,414	\$ 33,367	\$ 76,849	\$ 91,983	\$ 123,419	\$ 138,903	\$ 140,354	\$ 141,819	\$ 143,299	\$ 896,407
AAATA County	0.6943	\$ 1,296	\$ 6,742	\$ 15,529	\$ 18,587	\$ 24,939	\$ 28,068	\$ 28,361	\$ 28,657	\$ 28,956	\$ 181,135
City Operating	6.1120	\$ 11,409	\$ 59,354	\$ 136,700	\$ 163,620	\$ 219,540	\$ 247,082	\$ 249,663	\$ 252,270	\$ 254,903	\$ 1,594,541
Employee Benefits	2.0373	\$ 3,803	\$ 19,784	\$ 45,566	\$ 54,539	\$ 73,179	\$ 82,359	\$ 83,220	\$ 84,089	\$ 84,966	\$ 531,505
AATA City	2.0373	\$ 3,803	\$ 19,784	\$ 45,566	\$ 54,539	\$ 73,179	\$ 82,359	\$ 83,220	\$ 84,089	\$ 84,966	\$ 531,505
Refuse Collection	2.4445	\$ 4,563	\$ 23,739	\$ 54,673	\$ 65,440	\$ 87,805	\$ 98,821	\$ 99,853	\$ 100,896	\$ 101,949	\$ 637,739
Street Repairs	2.1057	\$ 3,931	\$ 20,449	\$ 47,096	\$ 56,370	\$ 75,636	\$ 85,125	\$ 86,014	\$ 86,912	\$ 87,819	\$ 549,352
Parks Maintenance & Repairs	1.0900	\$ 2,035	\$ 10,585	\$ 24,379	\$ 29,180	\$ 39,152	\$ 44,064	\$ 44,524	\$ 44,989	\$ 45,459	\$ 284,367
Parks Acquisition	0.4735	\$ 884	\$ 4,598	\$ 10,590	\$ 12,676	\$ 17,008	\$ 19,142	\$ 19,342	\$ 19,543	\$ 19,747	\$ 123,530
Library	1.9000	\$ 3,547	\$ 18,451	\$ 42,495	\$ 50,864	\$ 68,247	\$ 76,809	\$ 77,611	\$ 78,422	\$ 79,240	\$ 495,686
AAPS Supplemental	4.3027	\$ 8,032	\$ 41,784	\$ 96,234	\$ 115,185	\$ 154,551	\$ 173,940	\$ 175,757	\$ 177,592	\$ 179,445	\$ 1,122,520
AAPS Voted Sinking Fund	0.9928	\$ 1,853	\$ 9,641	\$ 22,205	\$ 26,578	\$ 35,661	\$ 40,135	\$ 40,554	\$ 40,977	\$ 41,405	\$ 259,009
WISD Operating	0.0978	\$ 183	\$ 950	\$ 2,187	\$ 2,618	\$ 3,513	\$ 3,954	\$ 3,995	\$ 4,037	\$ 4,079	\$ 25,516
WISD Special Education	5.3531	\$ 9,992	\$ 51,984	\$ 119,727	\$ 143,304	\$ 192,281	\$ 216,403	\$ 218,664	\$ 220,947	\$ 223,252	\$ 1,396,554
<b>Local Total</b>	<b>39.3202</b>	<b>\$ 73,399</b>	<b>\$ 381,841</b>	<b>\$ 879,431</b>	<b>\$ 1,052,615</b>	<b>\$ 1,412,362</b>	<b>\$ 1,589,551</b>	<b>\$ 1,606,155</b>	<b>\$ 1,622,924</b>	<b>\$ 1,639,860</b>	<b>\$ 10,258,138</b>
<b>Non-Capturable Millages</b>											
	Millage Rate										
PA 88	0.0000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
AAPS Debt Service	2.4500	\$ 4,573	\$ 23,792	\$ 54,796	\$ 65,587	\$ 88,003	\$ 99,043	\$ 100,078	\$ 101,123	\$ 102,178	\$ 639,173
Community College Debt Service	0.0000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Non-Capturable Taxes</b>	<b>2.4500</b>	<b>\$ 4,573</b>	<b>\$ 23,792</b>	<b>\$ 54,796</b>	<b>\$ 65,587</b>	<b>\$ 88,003</b>	<b>\$ 99,043</b>	<b>\$ 100,078</b>	<b>\$ 101,123</b>	<b>\$ 102,178</b>	<b>\$ 639,173</b>
<b>Total Tax Increment Revenue (TIR) Available for Capture</b>		<b>\$ 117,817</b>	<b>\$ 612,917</b>	<b>\$ 1,411,629</b>	<b>\$ 1,689,618</b>	<b>\$ 2,267,070</b>	<b>\$ 2,551,487</b>	<b>\$ 2,578,138</b>	<b>\$ 2,605,055</b>	<b>\$ 2,632,241</b>	<b>\$ 16,465,972</b>

**Footnotes:**

1. Assumes construction of rental units is complete for tax year 2023 with a 1% inflation rate for the years following.



**TABLE 2B.**  
**Tax Increment Revenue Capture Estimates**  
**Personal Residence Exempt Condo Units**  
1140 Broadway Street Redevelopment  
Ann Arbor, Michigan  
10/25/17

Estimated Taxable Value (TV) Increase Rate: 1% per year

Plan Year	1	2	3	4	5	6	7	8	9	TOTAL
Calendar Year <sup>1</sup>	2018	2019	2020	2021	2022	2023	2024	2025	2026	
*Base Taxable Value	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000
Estimated New TV	\$ -	\$ 1,961,103	\$ 5,124,805	\$ 6,225,922	\$ 6,225,922	\$ 6,225,922	\$ 6,288,181	\$ 6,351,063	\$ 6,351,063	
Incremental Difference (New TV - Base TV)	\$ -	\$ 161,103	\$ 3,324,805	\$ 4,425,922	\$ 4,425,922	\$ 4,425,922	\$ 4,488,181	\$ 4,551,063	\$ 4,551,063	
<b>School Capture</b>										
	Millage Rate									
State Education Tax (SET)	6.0000	\$ -	\$ 967	\$ 19,949	\$ 26,556	\$ 26,556	\$ 26,556	\$ 26,929	\$ 27,306	\$ 27,306
<b>School Total</b>	<b>6.0000</b>	<b>\$ -</b>	<b>\$ 967</b>	<b>\$ 19,949</b>	<b>\$ 26,556</b>	<b>\$ 26,556</b>	<b>\$ 26,556</b>	<b>\$ 26,929</b>	<b>\$ 27,306</b>	<b>\$ 27,306</b>
<b>Local Capture</b>										
	Millage Rate									
County Operating	4.5215	\$ -	\$ 728	\$ 15,033	\$ 20,012	\$ 20,012	\$ 20,012	\$ 20,293	\$ 20,578	\$ 20,578
Parks	0.7084	\$ -	\$ 114	\$ 2,355	\$ 3,135	\$ 3,135	\$ 3,135	\$ 3,179	\$ 3,224	\$ 3,224
EECS County	0.1987	\$ -	\$ 32	\$ 661	\$ 879	\$ 879	\$ 879	\$ 892	\$ 904	\$ 904
Vet Relief	0.1000	\$ -	\$ 16	\$ 332	\$ 443	\$ 443	\$ 443	\$ 449	\$ 455	\$ 455
Roads	0.5000	\$ -	\$ 81	\$ 1,662	\$ 2,213	\$ 2,213	\$ 2,213	\$ 2,244	\$ 2,276	\$ 2,276
HCMA	0.2146	\$ -	\$ 35	\$ 714	\$ 950	\$ 950	\$ 950	\$ 963	\$ 977	\$ 977
Community College Operating	3.4360	\$ -	\$ 554	\$ 11,424	\$ 15,207	\$ 15,207	\$ 15,207	\$ 15,421	\$ 15,637	\$ 15,637
AAATA County	0.6943	\$ -	\$ 112	\$ 2,308	\$ 3,073	\$ 3,073	\$ 3,073	\$ 3,116	\$ 3,160	\$ 3,160
City Operating	6.1120	\$ -	\$ 985	\$ 20,321	\$ 27,051	\$ 27,051	\$ 27,051	\$ 27,432	\$ 27,816	\$ 27,816
Employee Benefits	2.0373	\$ -	\$ 328	\$ 6,774	\$ 9,017	\$ 9,017	\$ 9,017	\$ 9,144	\$ 9,272	\$ 9,272
AATA City	2.0373	\$ -	\$ 328	\$ 6,774	\$ 9,017	\$ 9,017	\$ 9,017	\$ 9,144	\$ 9,272	\$ 9,272
Refuse Collection	2.4445	\$ -	\$ 394	\$ 8,127	\$ 10,819	\$ 10,819	\$ 10,819	\$ 10,971	\$ 11,125	\$ 11,125
Street Repairs	2.1057	\$ -	\$ 339	\$ 7,001	\$ 9,320	\$ 9,320	\$ 9,320	\$ 9,451	\$ 9,583	\$ 9,583
Parks Maintenance & Repairs	1.0900	\$ -	\$ 176	\$ 3,624	\$ 4,824	\$ 4,824	\$ 4,824	\$ 4,892	\$ 4,961	\$ 4,961
Parks Acquisition	0.4735	\$ -	\$ 76	\$ 1,574	\$ 2,096	\$ 2,096	\$ 2,096	\$ 2,125	\$ 2,155	\$ 2,155
Library	1.9000	\$ -	\$ 306	\$ 6,317	\$ 8,409	\$ 8,409	\$ 8,409	\$ 8,528	\$ 8,647	\$ 8,647
AAPS Voted Sinking Fund	0.9928	\$ -	\$ 160	\$ 3,301	\$ 4,394	\$ 4,394	\$ 4,394	\$ 4,456	\$ 4,518	\$ 4,518
WISD Operating	0.0978	\$ -	\$ 16	\$ 325	\$ 433	\$ 433	\$ 433	\$ 439	\$ 445	\$ 445
WISD Special Education	5.3531	\$ -	\$ 862	\$ 17,798	\$ 23,692	\$ 23,692	\$ 23,692	\$ 24,026	\$ 24,362	\$ 24,362
<b>Local Total</b>	<b>35.0175</b>	<b>\$ -</b>	<b>\$ 5,642</b>	<b>\$ 116,425</b>	<b>\$ 154,984</b>	<b>\$ 154,984</b>	<b>\$ 154,984</b>	<b>\$ 157,165</b>	<b>\$ 159,367</b>	<b>\$ 159,367</b>
<b>Non-Capturable Millages</b>										
	Millage Rate									
School Operating	17.7951	\$ -	\$ 2,867	\$ 59,165	\$ 78,760	\$ 78,760	\$ 78,760	\$ 79,868	\$ 80,987	\$ 80,987
PA 88	0.0000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
AAPS Debt Service	2.4500	\$ -	\$ 395	\$ 8,146	\$ 10,844	\$ 10,844	\$ 10,844	\$ 10,996	\$ 11,150	\$ 11,150
AAPS Supplemental	4.3027	\$ -	\$ 693	\$ 14,306	\$ 19,043	\$ 19,043	\$ 19,043	\$ 19,311	\$ 19,582	\$ 19,582
Community College Debt Service	0.0000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Non-Capturable Taxes</b>	<b>24.5478</b>	<b>\$ -</b>	<b>\$ 3,955</b>	<b>\$ 81,617</b>	<b>\$ 108,647</b>	<b>\$ 108,647</b>	<b>\$ 108,647</b>	<b>\$ 110,175</b>	<b>\$ 111,719</b>	<b>\$ 111,719</b>
<b>Total Tax Increment Revenue (TIR) Available for Capture</b>										
		\$ -	\$ 6,609	\$ 136,374	\$ 181,540	\$ 181,540	\$ 181,540	\$ 184,094	\$ 186,673	\$ 186,673

**Footnotes:**

1. Assumes construction of rental units is complete for tax year 2021 with a 1% inflation rate for the years following.

**TABLE 2C.**  
**Tax Increment Revenue Capture Estimates**  
**Total Project Capture (Rental + Condo Units)**  
 1140 Broadway Street Redevelopment  
 Ann Arbor, Michigan  
 10/25/17

Estimated Taxable Value (TV) Increase Rate: 1% per year

Plan Year	1	2	3	4	5	6	7	8	9	TOTAL	
Calendar Year <sup>1</sup>	2018	2019	2020	2021	2022	2023	2024	2025	2026		
*Base Taxable Value	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	\$ 1,800,000	
Estimated New TV	\$ 3,666,667	\$ 13,472,181	\$ 29,290,692	\$ 34,796,275	\$ 43,945,417	\$ 48,451,711	\$ 48,936,228	\$ 49,425,590	\$ 49,856,335		
Incremental Difference (New TV - Base TV)	\$ 1,866,667	\$ 11,672,181	\$ 27,490,692	\$ 32,996,275	\$ 42,145,417	\$ 46,651,711	\$ 47,136,228	\$ 47,625,590	\$ 48,056,335		
<b>School Capture</b>											
	Millage Rate										
State Education Tax (SET)	6.0000	\$ 11,200	\$ 70,033	\$ 164,944	\$ 197,978	\$ 252,873	\$ 279,910	\$ 282,817	\$ 285,754	\$ 288,338	\$ 1,833,847
School Operating Tax <sup>2</sup>	17.7951	\$ 33,218	\$ 172,810	\$ 398,003	\$ 476,381	\$ 639,191	\$ 719,381	\$ 726,895	\$ 734,484	\$ 742,149	\$ 4,642,512
<b>School Total</b>	<b>23.7951</b>	<b>\$ 44,418</b>	<b>\$ 242,843</b>	<b>\$ 562,947</b>	<b>\$ 674,359</b>	<b>\$ 892,064</b>	<b>\$ 999,291</b>	<b>\$ 1,009,712</b>	<b>\$ 1,020,238</b>	<b>\$ 1,030,487</b>	<b>\$ 6,476,359</b>
<b>Local Capture</b>											
	Millage Rate										
County Operating	4.5215	\$ 8,440	\$ 52,776	\$ 124,299	\$ 149,193	\$ 190,561	\$ 210,936	\$ 213,126	\$ 215,339	\$ 217,287	\$ 1,381,957
Parks	0.7084	\$ 1,322	\$ 8,269	\$ 19,474	\$ 23,375	\$ 29,856	\$ 33,048	\$ 33,391	\$ 33,738	\$ 34,043	\$ 216,516
EECS County	0.1987	\$ 371	\$ 2,319	\$ 5,462	\$ 6,556	\$ 8,374	\$ 9,270	\$ 9,366	\$ 9,463	\$ 9,549	\$ 60,730
Vet Relief	0.1000	\$ 187	\$ 1,167	\$ 2,749	\$ 3,300	\$ 4,215	\$ 4,665	\$ 4,714	\$ 4,763	\$ 4,806	\$ 30,566
Roads	0.5000	\$ 933	\$ 5,836	\$ 13,745	\$ 16,498	\$ 21,073	\$ 23,326	\$ 23,568	\$ 23,813	\$ 24,028	\$ 152,820
HCMA	0.2146	\$ 401	\$ 2,505	\$ 5,900	\$ 7,081	\$ 9,044	\$ 10,011	\$ 10,115	\$ 10,220	\$ 10,313	\$ 65,590
Community College Operating	3.4360	\$ 6,414	\$ 40,106	\$ 94,458	\$ 113,375	\$ 144,812	\$ 160,295	\$ 161,960	\$ 163,642	\$ 165,122	\$ 1,050,184
AAATA County	0.6943	\$ 1,296	\$ 8,104	\$ 19,087	\$ 22,909	\$ 29,262	\$ 32,390	\$ 32,727	\$ 33,066	\$ 33,366	\$ 212,207
City Operating	6.1120	\$ 11,409	\$ 71,340	\$ 168,023	\$ 201,673	\$ 257,593	\$ 285,135	\$ 288,097	\$ 291,088	\$ 293,720	\$ 1,868,078
Employee Benefits	2.0373	\$ 3,803	\$ 23,780	\$ 56,007	\$ 67,223	\$ 85,863	\$ 95,044	\$ 96,031	\$ 97,028	\$ 97,905	\$ 622,684
AATA City	2.0373	\$ 3,803	\$ 23,780	\$ 56,007	\$ 67,223	\$ 85,863	\$ 95,044	\$ 96,031	\$ 97,028	\$ 97,905	\$ 622,684
Refuse Collection	2.4445	\$ 4,563	\$ 28,533	\$ 67,201	\$ 80,659	\$ 103,024	\$ 114,040	\$ 115,225	\$ 116,421	\$ 117,474	\$ 747,140
Street Repairs	2.1057	\$ 3,931	\$ 24,578	\$ 57,887	\$ 69,480	\$ 88,746	\$ 98,235	\$ 99,255	\$ 100,285	\$ 101,192	\$ 643,589
Parks Maintenance & Repairs	1.0900	\$ 2,035	\$ 12,723	\$ 29,965	\$ 35,966	\$ 45,939	\$ 50,850	\$ 51,378	\$ 51,912	\$ 52,381	\$ 333,149
Parks Acquisition	0.4735	\$ 884	\$ 5,527	\$ 13,017	\$ 15,624	\$ 19,956	\$ 22,090	\$ 22,319	\$ 22,551	\$ 22,755	\$ 144,723
Library	1.9000	\$ 3,547	\$ 22,177	\$ 52,232	\$ 62,693	\$ 80,076	\$ 88,638	\$ 89,559	\$ 90,489	\$ 91,307	\$ 580,718
AAPS Supplemental <sup>3</sup>	4.3027	\$ 8,032	\$ 41,784	\$ 96,234	\$ 115,185	\$ 154,551	\$ 173,940	\$ 175,757	\$ 177,592	\$ 179,445	\$ 1,122,520
AAPS Voted Sinking Fund	0.9928	\$ 1,853	\$ 11,588	\$ 27,293	\$ 32,759	\$ 41,842	\$ 46,316	\$ 46,797	\$ 47,283	\$ 47,710	\$ 303,441
WISD Operating	0.0978	\$ 183	\$ 1,142	\$ 2,689	\$ 3,227	\$ 4,122	\$ 4,563	\$ 4,610	\$ 4,658	\$ 4,700	\$ 29,894
WISD Special Education	5.3531	\$ 9,992	\$ 62,482	\$ 147,160	\$ 176,632	\$ 225,609	\$ 249,731	\$ 252,325	\$ 254,945	\$ 257,250	\$ 1,636,126
<b>Local Total</b>	<b>39.3202</b>	<b>\$ 73,399</b>	<b>\$ 450,516</b>	<b>\$ 1,058,889</b>	<b>\$ 1,270,631</b>	<b>\$ 1,630,381</b>	<b>\$ 1,807,567</b>	<b>\$ 1,826,351</b>	<b>\$ 1,845,324</b>	<b>\$ 1,862,258</b>	<b>\$ 11,825,316</b>
<b>Non-Capturable Millages</b>											
	Millage Rate										
School Operating Tax <sup>2</sup>	17.7951	\$ -	\$ 2,867	\$ 59,165	\$ 78,760	\$ 78,760	\$ 78,760	\$ 79,868	\$ 80,987	\$ 80,987	\$ 540,154
PA 88	0.0000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
AAPS Debt Service	2.4500	\$ 4,573	\$ 28,597	\$ 67,352	\$ 80,841	\$ 103,256	\$ 114,297	\$ 115,484	\$ 116,683	\$ 117,738	\$ 748,821
AAPS Supplemental <sup>3</sup>	4.3027	\$ -	\$ 693	\$ 14,306	\$ 19,043	\$ 19,043	\$ 19,043	\$ 19,311	\$ 19,582	\$ 19,582	\$ 130,603
Community College Debt Service	0.0000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Non-Capturable Taxes</b>	<b>24.5478</b>	<b>\$ 4,573</b>	<b>\$ 32,157</b>	<b>\$ 140,823</b>	<b>\$ 178,644</b>	<b>\$ 201,059</b>	<b>\$ 212,100</b>	<b>\$ 214,663</b>	<b>\$ 217,252</b>	<b>\$ 218,307</b>	<b>\$ 1,419,578</b>
<b>Total Tax Increment Revenue (TIR) Available for Capture</b>		<b>\$ 117,817</b>	<b>\$ 693,359</b>	<b>\$ 1,621,836</b>	<b>\$ 1,944,990</b>	<b>\$ 2,522,445</b>	<b>\$ 2,806,858</b>	<b>\$ 2,836,063</b>	<b>\$ 2,865,562</b>	<b>\$ 2,892,745</b>	<b>\$ 18,301,675</b>

**Footnotes:**

1. Represents the taxable value of rental and condo units. Assumes construction of rental units is complete in 2023 and construction of condo units is complete in 2021.
2. The School Operating millage is only captured on the Non-Personal Residence Exempt (Non-PRE) rental units.
3. The AAPS Supplemental millage is only captured on the Non-PRE rental units.

**TABLE 3.**  
**Tax Increment Revenue Reimbursement Allocation Table**  
 1140 Broadway Street Redevelopment  
 Ann Arbor, Michigan  
 10/25/17

Developer Maximum Reimbursement	Proportionality	School & Local Taxes	Local-Only Taxes	Total
<b>State</b>	<b>37.5%</b>	\$ 4,084,821	\$ -	\$ <b>4,084,821</b>
<b>Local</b>	<b>62.5%</b>	\$ 6,699,622	\$ 114,000	\$ <b>6,813,622</b>
<b>TOTAL</b>		\$ <b>10,784,443</b>	\$ <b>114,000</b>	\$ <b>10,898,443</b>
MDEQ	52.2%	\$ 5,579,683	\$ 114,000	\$ <b>5,693,683</b>
MSF	47.8%	\$ 5,204,760	\$ -	\$ <b>5,204,760</b>

Estimated Capture	
Administrative Fees	\$ -
State Revolving Fund	\$ 916,925
LBRF	\$ 2,260,626

Estimated Total Years of Plan:	9
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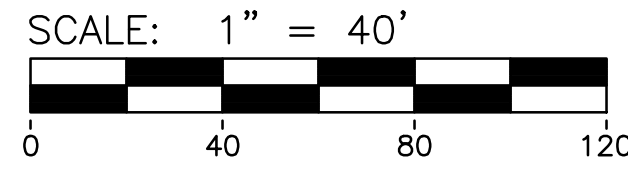
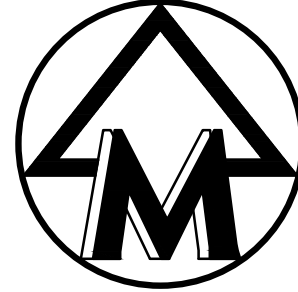
	2018	2019	2020	2021	2022	2023	2024	2025	2026	TOTAL
Total State Incremental Revenue	\$ 44,418	\$ 242,843	\$ 562,947	\$ 674,359	\$ 892,064	\$ 999,291	\$ 1,009,712	\$ 1,020,238	\$ 1,030,487	\$ 6,476,359
State Brownfield Revolving Fund (50% of SET)	\$ 5,600	\$ 35,017	\$ 82,472	\$ 98,989	\$ 126,437	\$ 139,955	\$ 141,409	\$ 142,877	\$ 144,169	\$ 916,925
<b>State TIR Available for Reimbursement</b>	<b>\$ 38,818</b>	<b>\$ 207,826</b>	<b>\$ 480,475</b>	<b>\$ 575,370</b>	<b>\$ 765,627</b>	<b>\$ 859,336</b>	<b>\$ 868,303</b>	<b>\$ 877,361</b>	<b>\$ 886,318</b>	<b>\$ 5,559,434</b>
Total Local Incremental Revenue	\$ 73,399	\$ 450,516	\$ 1,058,889	\$ 1,270,631	\$ 1,630,381	\$ 1,807,567	\$ 1,826,351	\$ 1,845,324	\$ 1,862,258	\$ 11,825,316
BRA Administrative Fee (0%)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Local TIR Available for Reimbursement</b>	<b>\$ 73,399</b>	<b>\$ 450,516</b>	<b>\$ 1,058,889</b>	<b>\$ 1,270,631</b>	<b>\$ 1,630,381</b>	<b>\$ 1,807,567</b>	<b>\$ 1,826,351</b>	<b>\$ 1,845,324</b>	<b>\$ 1,862,258</b>	<b>\$ 11,825,316</b>
<b>Total State &amp; Local TIR Available</b>	<b>\$ 112,217</b>	<b>\$ 658,342</b>	<b>\$ 1,539,364</b>	<b>\$ 1,846,001</b>	<b>\$ 2,396,008</b>	<b>\$ 2,666,903</b>	<b>\$ 2,694,654</b>	<b>\$ 2,722,685</b>	<b>\$ 2,748,576</b>	<b>\$ 17,384,750</b>
<b>MORNINGSIDE LOWER TOWN, LLC (Morningside)</b>	Beginning Balance									
<b>Morningside Reimbursement Balance (end of year)</b>	<b>\$ 10,898,443</b>	<b>\$ 10,789,593</b>	<b>\$ 10,151,001</b>	<b>\$ 8,657,818</b>	<b>\$ 6,867,197</b>	<b>\$ 4,543,069</b>	<b>\$ 1,956,173</b>	<b>\$ 289,066</b>	<b>\$ -</b>	<b>\$ -</b>
<b>MSF Non-Environmental Costs</b>	\$ 5,204,760	\$ -	\$ -	\$ -	\$ 706,991	\$ 2,541,596	\$ 1,667,107	\$ 289,066	\$ -	\$ 5,204,760
State Tax Reimbursement	\$ 1,971,405	\$ -	\$ -	\$ -	\$ -	\$ 814,036	\$ 868,303	\$ 289,066	\$ -	\$ 1,971,405
Local Tax Reimbursement	\$ 3,233,355	\$ -	\$ -	\$ -	\$ 706,991	\$ 1,727,560	\$ 798,804	\$ -	\$ -	\$ 3,233,355
<b>Total MSF Reimbursement Balance</b>	<b>\$ 5,204,760</b>	<b>\$ 5,204,760</b>	<b>\$ 5,204,760</b>	<b>\$ 5,204,760</b>	<b>\$ 4,497,769</b>	<b>\$ 1,956,173</b>	<b>\$ 289,066</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>MDEQ Environmental Costs</b>	\$ 5,579,683	\$ 108,850	\$ 638,592	\$ 1,493,183	\$ 1,790,621	\$ 1,503,137	\$ 45,300	\$ -	\$ -	\$ 5,579,683
State Tax Reimbursement	\$ 2,113,416	\$ 38,818	\$ 207,826	\$ 480,475	\$ 575,370	\$ 765,627	\$ 45,300	\$ -	\$ -	\$ 2,113,416
Local Tax Reimbursement	\$ 3,466,267	\$ 70,032	\$ 430,766	\$ 1,012,708	\$ 1,215,251	\$ 737,510	\$ -	\$ -	\$ -	\$ 3,466,267
<b>Total MDEQ Reimbursement Balance</b>	<b>\$ 5,470,833</b>	<b>\$ 4,832,241</b>	<b>\$ 3,339,058</b>	<b>\$ 1,548,437</b>	<b>\$ 45,300</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Local Only Costs</b>	\$ 114,000	\$ -	\$ -	\$ -	\$ 114,000	\$ -	\$ -	\$ -	\$ -	\$ 114,000
Local Tax Reimbursement	\$ 114,000	\$ -	\$ -	\$ -	\$ 114,000	\$ -	\$ -	\$ -	\$ -	\$ 114,000
<b>Total Local Only Reimbursement Balance</b>	<b>\$ 114,000</b>	<b>\$ 114,000</b>	<b>\$ 114,000</b>	<b>\$ 114,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Total Annual Developer Reimbursement</b>	<b>\$ 10,898,443</b>	<b>\$ 108,850</b>	<b>\$ 638,592</b>	<b>\$ 1,493,183</b>	<b>\$ 1,790,621</b>	<b>\$ 2,324,128</b>	<b>\$ 2,586,896</b>	<b>\$ 1,667,107</b>	<b>\$ 289,066</b>	<b>\$ 10,898,443</b>
<b>LOCAL BROWNFIELD REVOLVING FUND</b>										
<b>LBRF Deposits<sup>1</sup></b>	<b>\$ 3,367</b>	<b>\$ 19,750</b>	<b>\$ 46,181</b>	<b>\$ 55,380</b>	<b>\$ 71,880</b>	<b>\$ 80,007</b>	<b>\$ 80,840</b>	<b>\$ 81,681</b>	<b>\$ 1,821,540</b>	<b>\$ 2,260,626</b>
State Tax Capture	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 683,078	\$ 683,078
Local Tax Capture	\$ 3,367	\$ 19,750	\$ 46,181	\$ 55,380	\$ 71,880	\$ 80,007	\$ 80,840	\$ 81,681	\$ 1,138,463	\$ 1,577,549

**Footnotes:**

1. 3% of the total annual capture from tax year 2018 through 2025 is captured for the LBRF. In tax year 2026, one lump sum of \$1,821,540 is captured.

## **APPENDIX C**

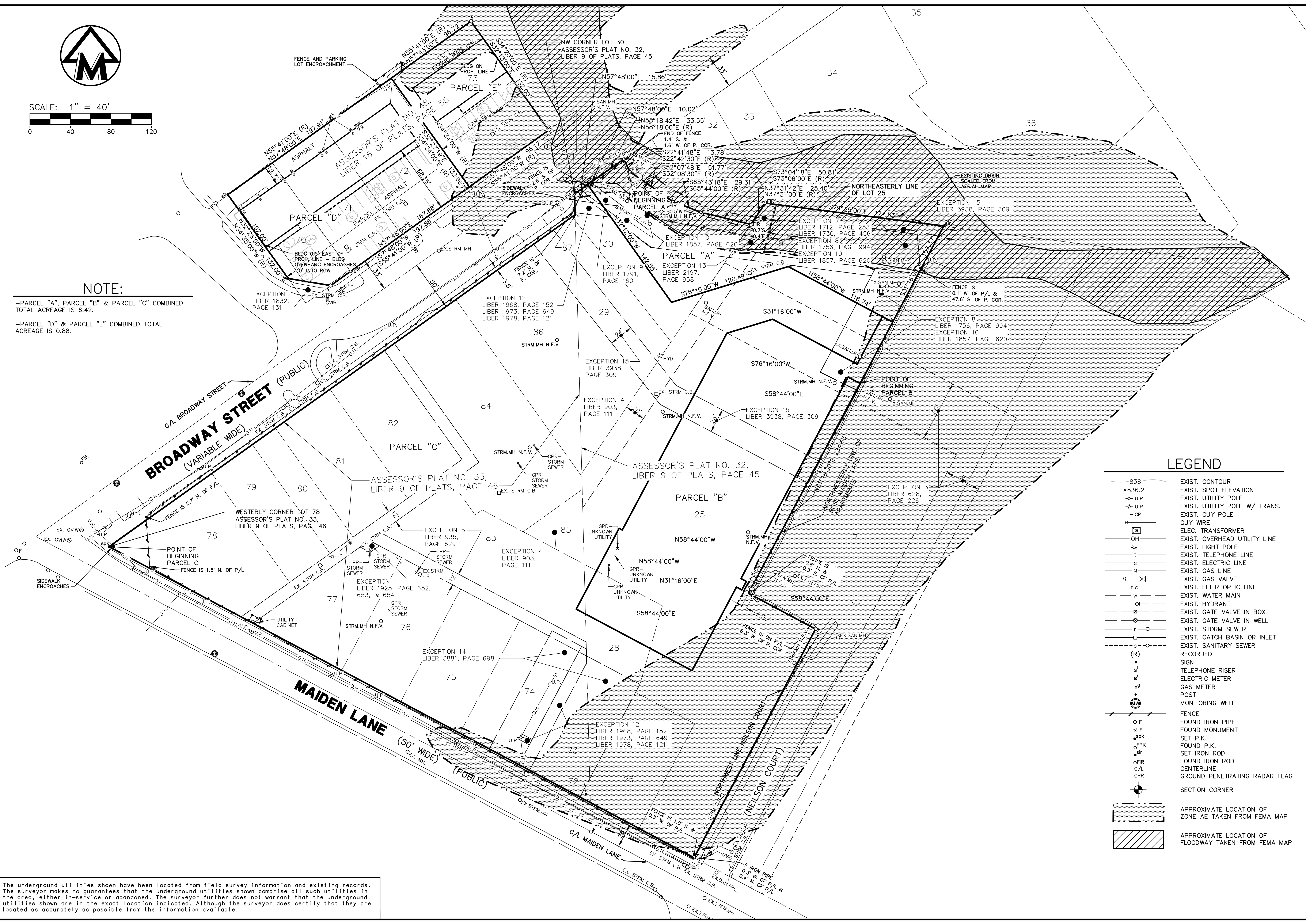
### **LEGAL DESCRIPTIONS DESCRIBED IN SECTION III(G) OF THIS PLAN**



**NOTE:**

-PARCEL "A", PARCEL "B" & PARCEL "C" COMBINED TOTAL ACREAGE IS 6.42.  
-PARCEL "D" & PARCEL "E" COMBINED TOTAL ACREAGE IS 0.88.

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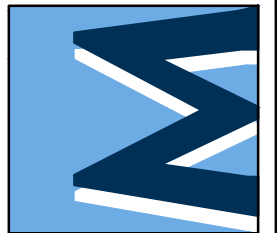


**LEGEND**

- 838 EXIST. CONTOUR
- x836.2 EXIST. SPOT ELEVATION
- o-U.P. EXIST. UTILITY POLE
- o-U.P. EXIST. UTILITY POLE W/ TRANS.
- GP EXIST. GUY POLE
- GUY WIRE
- EX. TRANSFORMER
- OH EXIST. OVERHEAD UTILITY LINE
- \* EXIST. LIGHT POLE
- t EXIST. TELEPHONE LINE
- e EXIST. ELECTRIC LINE
- g EXIST. GAS LINE
- g EXIST. GAS VALVE
- f.o. EXIST. FIBER OPTIC LINE
- w EXIST. WATER MAIN
- H EXIST. HYDRANT
- B EXIST. GATE VALVE IN BOX
- W EXIST. GATE VALVE IN WELL
- r EXIST. STORM SEWER
- s EXIST. CATCH BASIN OR INLET
- s-o EXIST. SANITARY SEWER
- (R) RECORDED
- p SIGN
- st TELEPHONE RISER
- st ELECTRIC METER
- st GAS METER
- st POST
- st MONITORING WELL
- o F FENCE
- o F FOUND IRON PIPE
- o F FOUND MONUMENT
- o FPK SET P.K.
- o SIR FOUND P.K.
- o FIR SET IRON ROD
- o C/L FOUND IRON ROD
- o GPR CENTERLINE
- o SECTION CORNER
- APPROXIMATE LOCATION OF ZONE AE TAKEN FROM FEMA MAP
- APPROXIMATE LOCATION OF FLOODWAY TAKEN FROM FEMA MAP

The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

**MIDWESTERN CONSULTING**  
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**CLIENT**  
MORNINGSIDE  
223 WEST ERIE ST., THIRD FLOOR,  
CHICAGO, ILLINOIS 60654

**LOWERTOWN**  
ALTA/NSPS LAND TITLE SURVEY OF LAND LOCATED IN THE  
SW 1/4 OF SECTION 21, T2S, R6E,  
CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN

**1**

JOB No.	16196
DATE:	10/03/16
SHEET:	1 OF 2
REV. DATE	10/11/16
REVISION:	Revised per Miller-Confidential comments
CADD:	
ENG:	
PK:	
TECH:	KAW
10196-ALTA	FBH/480

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LEGAL DESCRIPTION OF A LAND LOCATED IN THE CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN

PARCEL A:

Commencing at the Northwest corner of Lot 30 of ASSESSOR'S PLAT NO. 32, as recorded in Liber 9, Page 45 of Plats, Washtenaw County Records; thence North 57 degrees 48 minutes 00 seconds East 15.86 feet along the Southerly right-of-way line of Broadway Street (variable width) to the point of beginning; thence continuing along said Southerly right-of-way line in the following two (2) courses: (1) North 57 degrees 48 minutes 00 seconds East 10.02 feet and (2) North 58 degrees 18 minutes 42 seconds East 33.55 feet (recorded as North 58 degrees 18 minutes 00 seconds East ); thence along the centerline of Traver's Creek in the following four (4) courses: (1) South 22 degrees 41 minutes 48 minutes East 13.78 feet (recorded as South 22 degrees 42 minutes 30 seconds East), (2) South 52 degrees 07 minutes 48 seconds East 51.77 feet (recorded as South 52 degrees 08 minutes 30 seconds East, (3) South 65 degrees 43 minutes 18 seconds East 29.31 feet (recorded as South 65 degrees 44 minutes 00 seconds East and (4) South 73 degrees 04 minutes 18 seconds East 50.81 feet (recorded as South 73 degrees 06 minutes 00 seconds East); thence North 37 degrees 31 minutes 42 seconds East 25.40 feet (recorded as North 37 degrees 31 minutes 00 seconds East); thence South 79 degrees 25 minutes 00 seconds East 177.53 feet along the Northeasterly line of Lot 25 of ASSESSOR'S PLAT NO. 32; thence South 31 degrees 16 minutes 00 seconds West 107.37 feet along the Northwesterly line of Ross Maiden Lane Apartments; thence North 58 degrees 44 minutes 00 seconds West 116.74 feet; thence South 76 degrees 16 minutes 00 seconds West 120.49 feet; thence North 32 degrees 12 minutes 00 seconds West 142.55 feet to the point of beginning. Being a part of Lots 25 and 30 of said ASSESSOR'S PLAT NO. 32, as recorded in Liber 9, Page 45 of Plats, Washtenaw County Records.

PARCEL B:

Commencing at the Westerly corner of Lot 78, ASSESSOR'S PLAT NO. 33, as recorded in Liber 9, Page 46 of Plats, Washtenaw County Records; thence South 58 degrees 44 minutes 00 seconds East 653.70 feet along the Northerly right-of-way line of Maiden Lane (50 feet wide); thence North 31 degrees 16 minutes 00 seconds East 255.50 feet; thence North 58 degrees 44 minutes 00 seconds West 75.00 feet; thence North 31 degrees 16 minutes 00 seconds East 234.63 feet along the Northwesterly line of Ross Maiden Lane Apartments to the point of beginning; thence North 58 degrees 44 minutes 00 seconds West 13.39 feet to a point on the outside foundation line of a proposed parking garage; thence along said outside foundation line in the following eight (8) courses: (1) South 31 degrees 16 minutes 00 seconds West 225.17 feet, (2) South 58 degrees 44 minutes 00 seconds East 6.00 feet, (3) South 31 degrees 16 minutes 00 seconds West 9.50 feet, (4) North 58 degrees 44 minutes 00 seconds West 6.00 feet, (5) South 31 degrees 16 minutes 00 seconds West 93.46 feet, (6) North 58 degrees 44 minutes 00 seconds West 129.42 feet, (7) North 31 degrees 16 minutes 00 seconds East 90.29 feet and (8) South 58 degrees 44 minutes 00 seconds East 3.51 feet; thence along a common outside foundation line of said proposed parking garage with a proposed building in the following three (3) courses: (1) North 31 degrees 16 minutes 00 seconds East 219.90 feet, (2) North 76 degrees 16 minutes 00 seconds East 47.16 feet and (3) South 58 degrees 44 minutes 00 seconds East 94.44 feet; thence North 31 degrees 16 minutes 00 seconds East 53.16 feet; thence South 58 degrees 44 minutes 00 seconds East 11.50 feet; thence South 31 degrees 16 minutes 00 seconds West 68.57 feet along the Northwesterly line of said Ross Maiden Lane Apartments to the point of beginning. Being a part of Lot 83 of said ASSESSOR'S PLAT NO. 33, as recorded in Liber 9, Page 46 of Plats, and a part of Lot 25 and 28 of said ASSESSOR'S PLAT NO. 32, as recorded in Liber 9, Page 45 of Plats, Washtenaw County Records.

PARCEL C:

Beginning at the Westerly corner of Lot 78 of ASSESSOR'S PLAT NO. 33, as recorded in Liber 9, Page 46 of Plats, Washtenaw County Records; thence Northeasterly along the Southerly right-of-way line of Broadway Street in the following three courses: North 57 degrees 48 minutes 00 seconds East 564.63 feet, North 01 degrees 45 minutes 27 seconds East 20.50 feet and North 57 degrees 48 minutes 00 seconds East 15.86 feet; thence South 32 degrees 12 minutes 00 seconds East 142.55 feet; thence North 76 degrees 16 minutes 00 seconds East 120.49 feet; thence South 58 degrees 44 minutes 00 seconds East 105.24 feet; thence South 31 degrees 16 minutes 00 seconds West 53.16 feet to a point on the outside foundation line of a proposed parking garage common with the foundation line of a proposed building; thence along said common foundation line in the following three courses: North 58 degrees 44 minutes 00 seconds West 94.44 feet; South 76 degrees 16 minutes 00 seconds West 47.16 feet and South 31 degrees 16 minutes 00 seconds West 219.90 feet; thence along the outside foundation line of said proposed garage in the following eight courses: North 58 degrees 44 minutes 00 seconds West 3.51 feet, South 31 degrees 16 minutes 00 seconds West 90.29 feet, South 58 degrees 44 minutes 00 seconds East 129.42 feet, North 31 degrees 16 minutes 00 seconds East 93.46 feet, South 58 degrees 44 minutes 00 seconds East 6.00 feet, North 31 degrees 16 minutes 00 seconds East 9.50 feet, North 58 degrees 44 minutes 00 seconds West 6.00 feet, and North 31 degrees 16 minutes 00 seconds East 225.17 feet; thence South 58 degrees 44 minutes 00 seconds East 13.39 feet; thence South 31 degrees 16 minutes 00 seconds West 234.63 feet along the Northwesterly line of Ross Maiden Lane Apartments; thence South 58 degrees 44 minutes 00 seconds East 75.00 feet; thence South 31 degrees 16 minutes 00 seconds West 255.50 feet along the West right-of-way line of Nielsen Court; thence North 58 degrees 44 minutes 00 seconds West 653.70 feet along the Northerly right-of-way line of Maiden Lane to the point of beginning. Being Lots 26, 27 and 29 and a portion of Lots 25, 28 and 30 of ASSESSOR'S PLAT NO. 32, as recorded in Liber 9, Page 45 of Plats, Washtenaw County Records and Lots 72 through 82, inclusive, Lots 84 through 87, inclusive, and a part of Lot 83 and a vacated alley of ASSESSOR'S PLAT NO. 33, as recorded in Liber 9, Page 46 of Plats, Washtenaw County Records.

PARCEL D:

Lots 70 through 72, ASSESSOR'S PLAT NO. 48, as recorded in Liber 16, Page 55 of Plats, Washtenaw County Records. EXCEPT that part of Lot 70 deeded to the City of Ann Arbor in Liber 1832, Page 131.

PARCEL E:

Lot 73, ASSESSOR'S PLAT NO. 48, as recorded in Liber 16, Page 55 of Plats, Washtenaw County Records.

BEING SUBJECT TO:

- 3. Right(s) of Way and/or Easement(s) and rights incidental thereto as set forth in a document: In favor of: City of Ann Arbor Purposes: storm and sanitary sewers Recording No: Liber 628, Page 226 (PLOTTED)
4. Right(s) of Way and/or Easement(s) and rights incidental thereto as set forth in a deed: Purpose: to establish, use and repair drain Recording No: Liber 903, Page 111 (PLOTTED)
5. Resolution to vacate alley as set forth below: Recording No: Liber 935, Page 629 (as to Parcels B and C) (PLOTTED)
6. Right(s) of Way and/or Easement(s) and rights incidental thereto as set forth in a deed: Recording No: Liber 1074, Page 67 (LOCATION CANNOT BE DETERMINED FROM THE RECORD DOCUMENT)
7. Right(s) of Way and/or Easement(s) and rights incidental thereto as set forth in documents: Entitled: Declaration of Taking Recording Nos: Liber 1712, Page 253, and Liber 1730, Page 456 (PLOTTED)
8. Right(s) of Way and/or Easement(s) and rights incidental thereto as set forth in document: Entitled: Right of Way Agreement Purpose: Public Utilities Recording Nos: Liber 1756, Page 994 (PLOTTED)
9. Right(s) of Way and/or Easement(s) and rights incidental thereto as set forth in a document: In favor of: City of Ann Arbor Purposes: water mains, storm sewers, sanitary sewers and appurtenances Recording No: Liber 1791, Page 160 (PLOTTED)
10. Right(s) of Way and/or Easement(s) and rights incidental thereto as set forth in a document: In favor of: City of Ann Arbor Purposes: water mains, storm sewers, sanitary sewers and appurtenances Recording No: Liber 1857, Page 620 (PLOTTED)
11. Right(s) of Way and/or Easement(s) and rights incidental thereto as granted in a document: Granted to: Michigan Bell Telephone Company Recording Nos: Liber 1925, Pages 652, 653 and 654 (as to Parcel C) (PLOTTED)
12. Right(s) of Way and/or Easement(s) and rights incidental thereto as granted in a document: Granted to: Detroit Edison Company Recording Nos: Liber 1968, Page 152; Liber 1973, Page 649; and Liber 1978, Page 121 (as to Parcel C) (PLOTTED)
13. Right(s) of Way and/or Easement(s) and rights incidental thereto as set forth in a deed: Recording No: Liber 2197, Page 958 (as to Parcels A and C) (PLOTTED)
14. Reciprocal easement and parking agreement, as shown below and rights incidental thereto as created by the following document: Recording No: Liber 3881, Page 698 (PLOTTED)
15. Right(s) of Way and/or Easement(s) and rights incidental thereto as set forth in a deed: Recording No: Liber 3938, Page 309 (as to Parcels A and C) (PLOTTED)
16. Terms, Covenants, and Conditions of Broadway Village at Lower Town Development Agreement as set forth below: Recording No: Liber 4664, Page 171 (DOCUMENT BLANKET IN NATURE) An agreement to modify the terms and provisions of said agreement as therein provided Entitled: First Amendment Recording No: Liber 4664, Page 172 (DOCUMENT BLANKET IN NATURE)
17. Fee Simple Interest of Raab Broadway Development, L.L.C., a Michigan limited liability company, as to Parcel D; and Commerce Development Company, Inc., a Michigan corporation, as to Parcel E and the terms, covenants, conditions and provisions as contained in said lease, as revealed by: Entitled: Memorandum of Lease Lessor: Raab Broadway Development, LLC and Commerce Development Company, Inc. Lessee: Lower Town Project, LLC Recording Date: December 19, 2007 Recording No: Liber 4658, Page 560 (as to Parcels D and E) (Document Blanket in Nature)
19. Rights and interests of the United States of America, the State of Michigan, other governmental entities, the public and riparian owners, in that part of the lands lying within the bounds of Traver Creek and Traver Drain as established by its mean high water mark.
20. Rights of the public to any portion of the Land lying within the bounds of any street, road, alley or highway.

NOTES:

- 1)THIS SURVEY WAS PREPARED USING FIRST CHICAGO TITLE INSURANCE COMPANY TITLE COMMITMENT No. 811003110NTS WITH AN EFFECTIVE DATE OF JUNE 27, 2016.
2)THE LEGAL DESCRIPTION DESCRIBES THE SAME PROPERTY AS INSURED IN THE TITLE COMMITMENT AND ANY EXCEPTIONS HAVE BEEN NOTED HEREIN.
3)SAID DESCRIBED PROPERTY IS LOCATED WITHIN A 100-YEAR FLOOD PLANE ZONE PER FLOOD INSURANCE RATE MAP NO. 26161C0261E WITH AN EFFECTIVE DATE OF APRIL 3, 2012, FOR COMMUNITY NUMBER 260213, IN WASHTENAW COUNTY, STATE OF MICHIGAN, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
4)THERE IS NO EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
5)THERE IS NO OBSERVED EVIDENCE OF THIS BEING USED AS A SOLID WASTE DUMP, SWAMP OR SANITARY LANDFILL.
8)THE PARCEL HEREIN DESCRIBED HAS 36 REGULAR STRIPPED PARKING SPACES AND 3 HANDICAP SPACES.
9)SITE ADDRESS: 943, 923, 915, 959 MAIDEN LANE, 1120, 1140, 1156, 1160 BROADWAY STREET, 1133, 1135, 1149 BROADWAY STREET, ANN ARBOR, MICHIGAN 48105.

To: Morningside Lower Town, LLC, a Michigan limited liability company, (Chicago Title of Michigan, Inc.), (Lower Town Project LLC, a Delaware limited liability company):

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7a, 8, 9 and 16 of Table A thereof. The fieldwork was completed on October 2, 2016.

MIDWESTERN CONSULTING, LLC

By: Patrick L. Hastings, P.S. No. 37277

Date: October 4, 2016

The underground utilities shown have been located from field survey information and existing records. The surveyor makes no guarantees that the underground utilities shown comprise all such utilities in the area, either in-service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated. Although the surveyor does certify that they are located as accurately as possible from the information available.

MIDWESTERN CONSULTING 3815 Plaza Drive Ann Arbor, Michigan 48108 (734) 995-0200 www.midwesternconsulting.com Land Development • Land Survey • Institutional • Municipal Wireless Communications • Transportation • Landfill Services
CLIENT MORNINGSIDE 223 WEST ERIE ST., THIRD FLOOR, CHICAGO, ILLINOIS 60654
LOWERTOWN ALTA/NSPS LAND TITLE SURVEY OF LAND LOCATED IN THE SW 1/4 OF SECTION 21, T2S, R9E, CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN
JOB No. 16196 REVISIONS: (Revised per Miller-Canfield comments) DATE: 10/04/16 SHEET 2 OF 2 CADD: ENG: TC PLOTTED: 10/11/16 PLOT: PLH TECH: RWM 10195-ALTA FB#490

**APPENDIX D**  
**PROJECT CONCEPTUAL DRAWINGS**



Public Access to Traver Creek

Parallel Street Parking

Broadway Street

4 Story

4 Story

4 Story

7 Story

7 Story

Parking Structure

8 Story

Building A  
8 Story

Parking Access

Plymouth Road

Plymouth Road Sidewalk Extension

Cabana

Pool

Round - About Intersection

Arch Wall

Bike Racks

Drop Off

Loading

± 37 on-street

Parking Access

Broadway Plaza

7 Story

6 Story

5 Story w/  
1-Story Retail

Building C  
7 Story

Bike Racks

Drop Off

Bike Racks

Building B  
5 Story

Bus Stop

Nielsen Court

Gateway Sign

Maiden Lane







SALON

techspace

Chic Boutique

Com...



**APPENDIX E**  
**RESOLUTION TERMINATING PREVIOUS BROWNFIELD PLAN**

A RESOLUTION TO TERMINATE THE AMENDMENT TO THE WASHTENAW  
COUNTY BROWNFIELD PLAN FOR BROADWAY VILLAGE AT LOWER TOWN,  
LOCATED IN THE CITY OF ANN ARBOR, MI

WASHTENAW COUNTY BOARD OF COMMISSIONERS

MARCH 1, 2017

WHEREAS, the Washtenaw County Board of Commissioners, supports the sustainable redevelopment of contaminated, blighted, and vacant properties designated as brownfields; and

WHEREAS, through Resolution 99-0110, the Washtenaw 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"), established the Washtenaw County Brownfield Redevelopment Authority (the "WCBRA") to facilitate the implementation of plans relating to the identification and redevelopment of obsolete, and environmentally distressed areas and to promote site revitalization in Washtenaw County; and

WHEREAS, the County Board of Commissioners adopted the Amendment to the Washtenaw County Brownfield Plan for the Broadway Village at Lower Town Brownfield redevelopment project in the City of Ann Arbor on December 3, 2003; and

WHEREAS, the Broadway Village at Lower Town Brownfield redevelopment project and any associated Eligible Activities have not occurred for more than five (5) years, and therefore may be Terminated in accordance with Act 381; and

WHEREAS, the property reverted to the State of Michigan in approximately 2009, and was recently acquired by a new developer, Morningside Equities Group, LLC; and

WHEREAS, the previous Brownfield Plan must be terminated by the Governing Body before considering a new Brownfield Plan; and

WHEREAS this matter has been reviewed by the County Administrator's Office and the Corporation Counsel; and

NOW THEREFORE BE IT RESOLVED that, pursuant to Section 125.2666, Sub-Section 16 (8) of Act 381, the Washtenaw County Board of Commissioners hereby Terminates the Amendment to the Washtenaw County Brownfield Plan for the Broadway Village at Lower Town redevelopment, located in the City of Ann Arbor, previously adopted on December 3, 2003.

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.

COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A	COMMISSIONER	Y	N	A
Brabec	X			LaBarre	X			Smith	X		
Deatrick	X			Martinez-Kratz	X						
Jamnick	X			Morgan	X						
Jefferson	X			Ping			X				

CLERK/REGISTER'S CERTIFICATE - CERTIFIED COPY

ROLL CALL VOTE:

8 0 1

STATE OF MICHIGAN )

I, Lawrence Kestenbaum, Clerk/Register of said County of Washtenaw and Clerk of Circuit Court for said County, do hereby certify that the foregoing is a true and accurate copy of a resolution adopted by the Washtenaw County Board of Commissioners at a session held at the County Administration Building in the City of Ann Arbor, Michigan, on March 1<sup>st</sup>, 2017, as it appears of record in my office.

COUNTY OF WASHTENAW)<sup>SS</sup>.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Court at Ann Arbor, this 2<sup>nd</sup> day of March, 2017.

LAWRENCE KESTENBAUM, Clerk/Register

BY:

Deputy Clerk



Res. No. 17-037



*Passionate People Building  
and Revitalizing our World*

