

Village of Lake Isabella

1010 Clubhouse Drive
Lake Isabella, MI, 48893

Resolution 2010-05
Industrial Development District Establishment

Whereas; pursuant to Public Act 198 of 1974, as amended, the Village Council for the Village of Lake Isabella has the authority to establish “Industrial Development Districts” within the Village of Lake Isabella; and,

Whereas; James Gutierrez o/b/o PWGG, LLC did file on April 1, 2010 a communication/petition requesting the Village Council establish an Industrial Development District on its property at 6900 Baseline Road, Lake Isabella, Michigan, located between Baseline Road and the Lake Isabella Cal Brewer Memorial Airport (“the Property”); and,

Whereas; the Village Clerk has confirmed that James Gutierrez, and his investment company “S & B Holdings” are the owners of record of the Property requesting the Industrial Development District classification; and,

Whereas; the Property is commonly known as “Parcel K” and is legally described in this resolution; and,

Whereas; construction, acquisitions, alterations, or installation of a proposed facility has not commenced at the time of submitting the request to establish this district; and,

Whereas; written notice by certified mail was given to the owners of real property within the proposed Industrial Development District and to the public by publishing notice of the required Public Hearing on the establishment of the proposed district once in the Morning Sun, a paper of general circulation in the Village of Lake Isabella and by posting notice the notice in the Village Hall; and,

Whereas; at the time and place stated in the Notice of the Public Hearing, published on Friday, April 9, 2010, the public hearing was held and the owner of the property in the proposed district and all residents, taxpayers, and tenets of the Village of Lake Isabella desiring to be heard on the matter were given the right to appear, and those who did so appear were heard; and,

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Whereas; the Village Council deems it to be in the public interest of the Village of Lake Isabella to establish the Industrial Development District as proposed, pursuant to Public Act 198 of 1974, as amended; and,

Now therefore be it resolved;

1. The Village Council of the Village of Lake Isabella hereby establishes in the Village of Lake Isabella an Industrial Development District pursuant to Public Act 198 of 1974, as amended, said District to be comprised of the parcel of land located at 6900 Baseline Road, Lake Isabella, Michigan, legally described as:

PART OF THE SW 1/4 OF SECTION 36, T15N-R6W, SHERMAN TOWNSHIP, ISABELLA COUNTY, MICHIGAN. DESCRIBED AS BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION 36 WHICH IS N90°00'00"E ALONG SAID SOUTH LINE, 432.00 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 36; THENCE CONTINUING N90°00'00"E ALONG SAID SOUTH LINE, 66.00 FEET; THENCE N00°04'10"W, 300.00 FEET; THENCE N90°00'00"E PARALLEL WITH SAID SOUTH LINE OF SECTION 36, 872.05 FEET; THENCE N00°18'07"W, 130.01 FEET; THENCE N90°00'00"E PARALLEL WITH SAID SOUTH LINE OF SECTION 36, 300.00 FEET; THENCE N00°18'07"W, 789.77 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF CAMPO DRIVE AS RECORDED IN THE PLAT OF LAKE ISABELLA AIR PARK, LIBER 10 OF PLATS, PAGE 555; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY ON THE FOLLOWING 3 COURSES: 1)N76°38'26"W, 108.85 FEET, 2)S13°39'59"W, 7.00 FEET, 3)N76°44'00"W, 39.96 FEET; THENCE S13°31'58"W, 176.38 FEET; THENCE N72°17'04"W, 153.83 FEET TO THE INTERMEDIATE TRAVERSE LINE OF A POND; THENCE NORTHWESTERLY, ALONG THE NORTHERLY SHORE OF SAID POND, 327 FEET MORE OR LESS TO A POINT THAT IS LOCATED BY THE FOLLOWING 6 COURSES FROM SAID SW CORNER OF SECTION 36: 1)N90°00'00"E, 432.00 FEET, 2)N00°04'10"W, 831.13 FEET, 3)S90°00'00"W, 62.00 FEET, 4) N00°04'10"W, 969.84 FEET, 5)S76°42'57"E, 785.66 FEET, 6)S13°32'34"W, 329.84 FEET; THENCE N13°32'34"E, 329.84 FEET TO THE PLATTED SOUTH LINE OF SAID LAKE ISABELLA AIR PARK; THENCE N76°42'57"W, ALONG SAID PLATTED LINE, 470.11 FEET; THENCE S13°17'03"W, 86.45 FEET TO THE INTERMEDIATE TRAVERSE LINE OF A POND; THENCE ALONG SAID TRAVERSE LINE THE FOLLOWING THREE COURSES: 1) N44°48'18"W, 31.09 FEET, 2) S47°48'49"W. 102.86 FEET AND 3)

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S02°44'48"W, 151.09 FEET TO THE SOUTHERLY END OF SAID TRAVERSE LINE; THENCE S89°55'50"W, LEAVING SAID TRAVERSE LINE, 181.45 FEET; THENCE S00°04'10"E, 615.04 FEET; THENCE N90°00'00"E, PARALLEL WITH THE SOUTH LINE OF SAID SECTION 36, 62.00 FEET; THENCE S00°04'10"E, 831.13 FEET TO THE POINT OF BEGINNING. CONTAINING 32.24 ACRES OF LAND MORE OR LESS, SUBJECT TO THE SOUTHERLY PORTION THEREOF AS BASELINE ROAD, A 33 FOOT WIDE EASEMENT OVER THE WESTERLY AND NORTHERLY PORTION THEREOF AS DESCRIBED HEREIN, AND ANY OTHER EASEMENTS, RESTRICTIONS, AND RIGHTS OF WAY OF RECORD.

2. The District established by this resolution shall be known as the **Lake Isabella Industrial Development District No. 1**.

I, Jeffrey P. Grey, the duly qualified and acting Clerk of the Village of Lake Isabella, Isabella County, Michigan (the "Village") do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council at a meeting held on April 20, 2010, the original of which is on file in the Village Office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267 of the Public Acts of Michigan of 1976, as amended.

Date

Jeffrey P. Grey
Lake Isabella Village Clerk

Timothy R. Wolff
Lake Isabella Village Manager