

AGENDA REPORT

TO: Mayor Pat Humphrey and the Clare City Commission
FROM: Jeremy Howard, City Manager
DATE: June 30, 2022
RE: Establishment of PA 210 Commercial Rehabilitation District

For the Agenda of July 5, 2022

Background. Michigan Public Act 210 of the Acts of 2005 (*copy att'd*) established a law that allows individual property owners to request, or governmental units on their own initiative, to establish Commercial Rehabilitation Districts for the purpose of enabling commercial property owners within the established District to apply for a Commercial Exemption Certificate to assist in rehabilitating aging facilities, thereby providing an incentive for improvement of aged buildings and promoting economic development. PA 210 and the provisions therein use similar principles established in Michigan Public Act 198 of the Public Acts of 1974, which the City has effectively been using for the past two decades to approve Industrial Facilities Exemption Certificates for its local industrial business community, thereby achieving tremendous success in expanding the City's industrial base and contributing to local job creation.

Clare's Ideal Theater opened with its first movie debut in 1930; continuing to provide low-priced first-run movies until March of 2020. The theater, located in the city's Downtown Historic District, was purchased in 2021 and the new owners have been developing plans to rehabilitate this iconic theater for the past year. The estimated cost of the project is in excess of \$1.5M; consequently, the proprietors have made a request for the city to consider establishing a Commercial Rehabilitation District to allow the Ideal Theater, LLC. to apply for a Commercial Rehabilitation Exemption Certificate, thereby defraying local taxation on the project improvements for the period of the exemption certificate granted.

The Ideal Theater Rehabilitation Project will address wheelchair, hearing, and visual accessibility, life safety and comfort, health related mitigation strategies, and restoration of historic features in keeping with the Clare Historic District and the city's Master Plan.

If the City Commission establishes the Commercial Rehabilitation District at tonight's meeting, a public hearing will be held at the July 18th City Commission meeting for consideration of a Commercial Rehabilitation Exemption Certificate application of the Ideal Theater Clare, LLC.

The City Commission has the prerogative of whether to establish the Commercial Rehabilitation District, and it may also determine the boundaries of the district. The boundaries of the district can be limited to just the Ideal Theater parcel that will be rehabilitated or to a much larger boundary area. If the City Commission determines it is in the best interests of the City to establish the district, I recommend that the district boundaries coincide with those of the Clare Downtown Development Authority, thereby providing all commercial property owners within that district the same opportunity that will be provided to the Ideal Theater. The Clare DDA is scheduled to meet on Thursday, July 14th. The Commercial Rehabilitation District and the Ideal Theater Clare, LLC request for an exemption certificate will be on the agenda of the DDA for consideration. I will advise the City Commission of the DDA's recommendation in this matter subsequent to that meeting.

I've attached a Frequently Asked Questions (FAQ) document (*copy att'd*) related to the provisions and process of PA 210 - the document outlines the pertinent aspects of PA 210 and the process involved with establishing the district and granting exemption certificates. As reflected in the document, the City Commission is required to hold a public hearing prior to considering whether to establish the Commercial Rehabilitation District. We've published and posted the required notice (*copy att'd*) for the hearing and have provided all affected property owners with the mandated written notice - the notices were sent to all property owners within the currently established DDA District, and to all property owners within 300' of the Ideal Theater (*copy att'd*).

Issues & Questions Specified. Should the City establish a Commercial Rehabilitation District?

Alternatives.

1. Establish a district to coincide with the boundaries of the Clare DDA.
2. Establish a district with boundaries that encompass just the Ideal Theater.
3. Do not establish a Commercial Rehabilitation District.
4. Set aside decision regarding this matter to a subsequently scheduled public meeting.

Financial Impact. There is no fiscal impact associated with establishing the Commercial Rehabilitation District other than notice and mailing costs. The primary fiscal impact is directly dependent upon the number and duration of any exemption certificates granted after the district is established - and that impact falls predominantly upon the DDA and the taxing jurisdictions within the DDA. Similar to the IFE's granted by the City, the commercial exemptions approved (if any) are for the value of the improvements made to respective buildings or facilities within the district - not to the existing tax base. And since the tax revenues provided to the DDA are largely based on the improvements made within its district, the DDA's revenues essentially remain "flat" for the duration of any approved exemptions.

Recommendation. I recommend that the City Commission hold the required public hearing and subsequently approve the establishment of a Commercial Rehabilitative District by adoption of Resolution 2022-062 (*copy att'd*).

Attachments.

1. PA 210 of 2005, as amended.
2. PA 210 FAQ Document.
3. Public Notice.
4. Notice to Taxing Jurisdictions.
5. List of District Property Owners.
6. Resolution 2022-062.

COMMERCIAL REHABILITATION ACT
Act 210 of 2005

AN ACT to provide for the establishment of commercial rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain qualified facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local governmental officials; and to provide penalties.

History: 2005, Act 210, Imd. Eff. Nov. 17, 2005.

The People of the State of Michigan enact:

207.841 Short title.

Sec. 1. This act shall be known and may be cited as the "commercial rehabilitation act".

History: 2005, Act 210, Imd. Eff. Nov. 17, 2005.

207.842 Definitions.

Sec. 2. As used in this act:

(a) "Commercial property" means land improvements classified by law for general ad valorem tax purposes as real property including real property assessable as personal property pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14, the primary purpose and use of which is the operation of a commercial business enterprise or multifamily residential use. Commercial property shall also include facilities related to a commercial business enterprise under the same ownership at that location, including, but not limited to, office, engineering, research and development, warehousing, parts distribution, retail sales, and other commercial activities. Commercial property also includes a building or group of contiguous buildings previously used for industrial purposes that will be converted to the operation of a commercial business enterprise. Commercial property does not include any of the following:

(i) Land.

(ii) Property of a public utility.

(b) "Commercial rehabilitation district" or "district" means an area not less than 3 acres in size of a qualified local governmental unit established as provided in section 3. However, if the commercial rehabilitation district is located in a downtown or business area or contains a qualified retail food establishment, as determined by the legislative body of the qualified local governmental unit, the district may be less than 3 acres in size.

(c) "Commercial rehabilitation exemption certificate" or "certificate" means the certificate issued under section 6.

(d) "Commercial rehabilitation tax" means the specific tax levied under this act.

(e) "Commission" means the state tax commission created by 1927 PA 360, MCL 209.101 to 209.107.

(f) "Department" means the department of treasury.

(g) "Multifamily residential use" means multifamily housing consisting of 5 or more units.

(h) "Qualified facility" means a qualified retail food establishment or a building or group of contiguous buildings of commercial property that is 15 years old or older or has been allocated for a new markets tax credit under section 45D of the internal revenue code, 26 USC 45D. Qualified facility also includes a building or a group of contiguous buildings, a portion of a building or group of contiguous buildings previously used for commercial or industrial purposes, obsolete industrial property, and vacant property which, within the immediately preceding 15 years, was commercial property as defined in subdivision (a). Qualified facility shall also include vacant property located in a city with a population of more than 500,000 according to the most recent federal decennial census and from which a previous structure has been demolished and on which commercial property is or will be newly constructed provided an application for a certificate has been filed with that city before July 1, 2010. A qualified facility also includes a hotel or motel that has additional meeting or convention space that is attached to a convention and trade center that is over 250,000 square feet in size and that is located in a county with a population of more than 1,100,000 and less than 1,600,000 as of the most recent decennial census. A qualified facility does not include property that is to be used as a professional sports stadium. A qualified facility does not include property that is to be used as a casino. As used in this subdivision, "casino" means a casino or a parking lot, hotel, motel, or retail store owned or operated by a casino, an affiliate, or an affiliated company, regulated by this state pursuant to the Michigan gaming control and revenue act, 1996 IL 1, MCL 432.201 to 432.226.

(i) "Qualified local governmental unit" means a city, village, or township.

(j) "Qualified retail food establishment" means property that meets all of the following:

(i) The property will be used primarily as a retail supermarket, grocery store, produce market, or delicatessen that offers unprocessed USDA-inspected meat and poultry products or meat products that carry the USDA organic seal, fresh fruits and vegetables, and dairy products for sale to the public.

(ii) The property meets 1 of the following:

(A) Is located in a qualified local governmental unit that is also located in a qualified local governmental unit as defined in section 2 of the obsolete property rehabilitation act, 2000 PA 146, MCL 125.2782, and is located in an underserved area.

(B) Is located in a qualified local governmental unit that is designated as rural as defined by the United States census bureau and is located in an underserved area.

(iii) The property was used as residential, commercial, or industrial property as allowed and conducted under the applicable zoning ordinance for the immediately preceding 30 years.

(k) "Rehabilitation" means changes to a qualified facility that are required to restore or modify the property, together with all appurtenances, to an economically efficient condition. Rehabilitation includes major renovation and modification including, but not necessarily limited to, the improvement of floor loads, correction of deficient or excessive height, new or improved fixed building equipment, including heating, ventilation, and lighting, reducing multistory facilities to 1 or 2 stories, improved structural support including foundations, improved roof structure and cover, floor replacement, improved wall placement, improved exterior and interior appearance of buildings, and other physical changes required to restore or change the property to an economically efficient condition. Rehabilitation for a qualified retail food establishment also includes new construction. Rehabilitation also includes new construction of a qualified facility that is a hotel or motel that has additional meeting or convention space that is attached to a convention and trade center that is over 250,000 square feet in size that is located in a county with a population of more than 1,100,000 and less than 1,600,000 as of the most recent decennial census, if that new construction is an economic benefit to the local community as determined by the qualified local governmental unit. Rehabilitation also includes new construction on vacant property from which a previous structure has been demolished and if the new construction is an economic benefit to the local community as determined by the qualified local governmental unit. Rehabilitation shall not include improvements aggregating less than 10% of the true cash value of the property at commencement of the rehabilitation of the qualified facility.

(l) "Taxable value" means the value determined under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a.

(m) "Underserved area" means an area determined by the Michigan department of agriculture that contains a low or moderate income census tract and a below average supermarket density, an area that has a supermarket customer base with more than 50% living in a low income census tract, or an area that has demonstrated significant access limitations due to travel distance.

History: 2005, Act 210, Imd. Eff. Nov. 17, 2005;—Am. 2006, Act 554, Imd. Eff. Dec. 29, 2006;—Am. 2008, Act 3, Imd. Eff. Feb. 7, 2008;—Am. 2008, Act 118, Imd. Eff. Apr. 29, 2008;—Am. 2008, Act 231, Imd. Eff. July 17, 2008;—Am. 2008, Act 500, Imd. Eff. Jan. 13, 2009;—Am. 2011, Act 81, Imd. Eff. July 12, 2011;—Am. 2011, Act 82, Imd. Eff. July 12, 2011.

207.843 Commercial rehabilitation district; establishment by qualified rehabilitation district; adoption of resolution; notice and opportunity for hearing; findings and determination; rejection.

Sec. 3. (1) A qualified local governmental unit, by resolution of its legislative body, may establish 1 or more qualified rehabilitation districts that may consist of 1 or more parcels or tracts of land or a portion of a parcel or tract of land, if at the time the resolution is adopted, the parcel or tract of land or portion of a parcel or tract of land within the district is a qualified facility.

(2) The legislative body of a qualified local governmental unit may establish a commercial rehabilitation district on its own initiative or upon a written request filed by the owner or owners of property comprising at least 50% of all taxable value of the property located within a proposed commercial rehabilitation district. The written request must be filed with the clerk of the qualified local governmental unit.

(3) Before adopting a resolution establishing a commercial rehabilitation district, the legislative body shall give written notice by certified mail to the county in which the proposed district is to be located and the owners of all real property within the proposed commercial rehabilitation district and shall afford an opportunity for a hearing on the establishment of the commercial rehabilitation district at which any of those owners and any other resident or taxpayer of the qualified local governmental unit may appear and be heard. The legislative body shall give public notice of the hearing not less than 10 days or more than 30 days before the date of the hearing.

(4) The legislative body of the qualified local governmental unit, in its resolution establishing a

commercial rehabilitation district, shall set forth a finding and determination that the district meets the requirements set forth in subsection (1) and shall provide a copy of the resolution by certified mail to the county in which the district is located.

(5) Within 28 days after receiving a copy of the resolution establishing a commercial rehabilitation district, the county may reject the establishment of the district by 1 of the following methods:

(a) If the county has an elected county executive, by written notification to the qualified local governmental unit.

(b) If the county does not have an elected county executive, by a resolution of the county board of commissioners provided to the qualified local governmental unit.

History: 2005, Act 210, Imd. Eff. Nov. 17, 2005.

207.844 Commercial rehabilitation exemption certificate; filing application by owner of qualified facility; notice and hearing.

Sec. 4. (1) If a commercial rehabilitation district is established under section 3, the owner of a qualified facility may file an application for a commercial rehabilitation exemption certificate with the clerk of the qualified local governmental unit that established the commercial rehabilitation district. The application shall be filed in the manner and form prescribed by the commission. The application shall contain or be accompanied by a general description of the qualified facility, a general description of the proposed use of the qualified facility, the general nature and extent of the rehabilitation to be undertaken, a descriptive list of the fixed building equipment that will be a part of the qualified facility, a time schedule for undertaking and completing the rehabilitation of the qualified facility, a statement of the economic advantages expected from the exemption, including the number of jobs to be retained or created as a result of rehabilitating the qualified facility, including expected construction employment, and information relating to the requirements in section 8.

(2) Upon receipt of an application for a commercial rehabilitation exemption certificate, the clerk of the qualified local governmental unit shall notify in writing the assessor of the local tax collecting unit in which the qualified facility is located, and the legislative body of each taxing unit that levies ad valorem property taxes in the qualified local governmental unit in which the qualified facility is located. Before acting upon the application, the legislative body of the qualified local governmental unit shall hold a public hearing on the application and give public notice to the applicant, the assessor, a representative of the affected taxing units, and the general public. The hearing on each application shall be held separately from the hearing on the establishment of the commercial rehabilitation district.

History: 2005, Act 210, Imd. Eff. Nov. 17, 2005.

207.845 Commercial rehabilitation exemption certificate; approval or disapproval of application.

Sec. 5. The legislative body of the qualified local governmental unit, not more than 60 days after receipt of the application by the clerk, shall by resolution either approve or disapprove the application for a commercial rehabilitation exemption certificate in accordance with section 8 and the other provisions of this act. The clerk shall retain the original of the application and resolution. If approved, the clerk shall forward a copy of the application and resolution to the commission. If disapproved, the reasons shall be set forth in writing in the resolution, and the clerk shall send, by certified mail, a copy of the resolution to the applicant and to the assessor. A resolution is not effective unless approved by the commission as provided in section 6.

History: 2005, Act 210, Imd. Eff. Nov. 17, 2005.

207.846 Commercial rehabilitation exemption certificate; issuance; form; contents; effective date; maintenance of record and copies.

Sec. 6. (1) Not more than 60 days after receipt of a copy of the application and resolution adopted under section 5, the commission shall approve or disapprove the resolution.

(2) Following approval of the application by the legislative body of the qualified local governmental unit and the commission, the commission shall issue to the applicant a commercial rehabilitation exemption certificate in the form the commission determines, which shall contain all of the following:

(a) A legal description of the real property on which the qualified facility is located.

(b) A statement that unless revoked as provided in this act the certificate shall remain in force for the period stated in the certificate.

(c) A statement of the taxable value of the qualified facility, separately stated for real and personal property, for the tax year immediately preceding the effective date of the certificate after deducting the taxable value of the land and personal property other than personal property assessed pursuant to sections 8(d)

and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14.

(d) A statement of the period of time authorized by the legislative body of the qualified local governmental unit within which the rehabilitation shall be completed.

(e) If the period of time authorized by the legislative body of the qualified local governmental unit pursuant to subdivision (b) is less than 10 years, the exemption certificate shall contain the factors, criteria, and objectives, as determined by the resolution of the qualified local governmental unit, necessary for extending the period of time, if any.

(3) Except as otherwise provided in section 8(4), the effective date of the certificate is the December 31 immediately following the date of issuance of the certificate.

(4) The commission shall file with the clerk of the qualified local governmental unit a copy of the commercial rehabilitation exemption certificate, and the commission shall maintain a record of all certificates filed. The commission shall also send, by certified mail, a copy of the commercial rehabilitation exemption certificate to the applicant and the assessor of the local tax collecting unit in which the qualified facility is located.

History: 2005, Act 210, Imd. Eff. Nov. 17, 2005;—Am. 2019, Act 44, Imd. Eff. July 8, 2019.

Compiler's note: Enacting section 1 of Act 44 of 2019 provides:

"Enacting section 1. This amendatory act is intended to be retroactive and effective beginning December 31, 2017."

207.847 Exemption of qualified facility from tax; duration of force and effect of certificate; commencement; date of issuance; extension.

Sec. 7. (1) A qualified facility for which a commercial rehabilitation exemption certificate is in effect, but not the land on which the rehabilitated facility is located, or personal property other than personal property assessed pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14, for the period on and after the effective date of the certificate and continuing so long as the commercial rehabilitation exemption certificate is in force, is exempt from ad valorem property taxes collected under the general property tax act, 1893 PA 206, MCL 211.1 to 211.157.

(2) Unless earlier revoked as provided in section 12, a commercial rehabilitation exemption certificate shall remain in force and effect for a period to be determined by the legislative body of the qualified local governmental unit. The certificate may be issued for a period of at least 1 year, but not to exceed 10 years. If the number of years determined is less than 10, the certificate may be subject to review by the legislative body of the qualified local governmental unit and the certificate may be extended. The total amount of time determined for the certificate including any extensions shall not exceed 10 years after the completion of the qualified facility. The certificate shall commence with its effective date and end on the December 31 immediately following the last day of the number of years determined. The date of issuance of a certificate of occupancy, if required by appropriate authority, shall be the date of completion of the qualified facility.

(3) If the number of years determined by the legislative body of the qualified local governmental unit for the period a certificate remains in force is less than 10 years, the review of the certificate for the purpose of determining an extension shall be based upon factors, criteria, and objectives that shall be placed in writing, determined and approved at the time the certificate is approved by resolution of the legislative body of the qualified local governmental unit and sent, by certified mail, to the applicant, the assessor of the local tax collecting unit in which the qualified facility is located, and the commission.

History: 2005, Act 210, Imd. Eff. Nov. 17, 2005.

207.848 Separate finding; contents; compliance; requirements; applicability; exception.

Sec. 8. (1) If the taxable value of the property proposed to be exempt pursuant to an application under consideration, considered together with the aggregate taxable value of property exempt under certificates previously granted and currently in force under this act or under 1974 PA 198, MCL 207.551 to 207.572, exceeds 5% of the taxable value of the qualified local governmental unit, the legislative body of the qualified local governmental unit shall make a separate finding and shall include a statement in its resolution approving the application that exceeding that amount shall not have the effect of substantially impeding the operation of the qualified local governmental unit or impairing the financial soundness of an affected taxing unit.

(2) The legislative body of the qualified local governmental unit shall not approve an application for a commercial rehabilitation exemption certificate unless the applicant complies with all of the following requirements:

(a) Except as otherwise provided in this subdivision or subsection (3), the commencement of the rehabilitation of the qualified facility does not occur earlier than 6 months before the applicant files the application for the commercial rehabilitation exemption certificate. However, through December 31, 2009, for a qualified facility that is a qualified retail food establishment, the commencement of the rehabilitation does

not occur earlier than 42 months before the applicant files the application for the commercial rehabilitation exemption certificate.

(b) The application relates to a rehabilitation program that when completed constitutes a qualified facility within the meaning of this act and that shall be situated within a commercial rehabilitation district established in a qualified local governmental unit eligible under this act.

(c) Completion of the qualified facility is calculated to, and will at the time of issuance of the certificate have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the qualified facility is situated.

(d) The applicant states, in writing, that the rehabilitation of the qualified facility, excluding qualified retail food establishments through December 31, 2009, would not be undertaken without the applicant's receipt of the exemption certificate.

(e) The applicant is not delinquent in the payment of any taxes related to the qualified facility.

(3) The provisions of subsection (2)(a) and (d) and the provision contained in section 4(1) that provides that the district must be established before an application is filed do not apply to the rehabilitation of a qualified facility located in a commercial rehabilitation district established by the legislative body of the qualified local governmental unit in 2011 for construction or rehabilitation that was commenced in August 2010 and for which an application for a commercial rehabilitation exemption certificate was filed in June 2010.

(4) For certificates issued by the commission after January 1, 2018, if the clerk of the qualified local governmental unit failed to forward an application that was approved by the legislative body of the qualified local governmental unit before October 31 of that year to the commission before October 31 of that same year but filed the application with the commission before October 31 of the immediately succeeding year and the commission approves that application, then the effective date of that certificate is December 31 of the year in which the qualified local governmental unit approved the application.

History: 2005, Act 210, Imd. Eff. Nov. 17, 2005;—Am. 2008, Act 231, Imd. Eff. July 17, 2008;—Am. 2008, Act 500, Imd. Eff. Jan. 13, 2009;—Am. 2011, Act 82, Imd. Eff. July 12, 2011;—Am. 2019, Act 44, Imd. Eff. July 8, 2019.

Compiler's note: Enacting section 1 of Act 44 of 2019 provides:

"Enacting section 1. This amendatory act is intended to be retroactive and effective beginning December 31, 2017."

207.849 Determining value of each qualified facility.

Sec. 9. The assessor of each qualified local governmental unit in which there is a qualified facility with respect to which 1 or more commercial rehabilitation exemption certificates have been issued and are in force shall determine annually as of December 31 the value and taxable value, both for real and personal property, of each qualified facility separately, having the benefit of a certificate and upon receipt of notice of the filing of an application for the issuance of a certificate, shall determine and furnish to the local legislative body the value and the taxable value of the property to which the application pertains and other information as may be necessary to permit the local legislative body to make the determinations required by section 8(2).

History: 2005, Act 210, Imd. Eff. Nov. 17, 2005.

207.850 Commercial rehabilitation tax; determination of amount; payment; exemption; qualified retail food establishment; certificate issued before December 31, 2009.

Sec. 10. (1) There is levied upon every owner of a qualified facility to which a commercial rehabilitation exemption certificate is issued a specific tax to be known as the commercial rehabilitation tax.

(2) Except as otherwise provided in subsection (8), the amount of the commercial rehabilitation tax, in each year, shall be determined by adding the results of both of the following calculations:

(a) Multiplying the total mills levied as ad valorem taxes for that year by all taxing units within which the qualified facility is located by the taxable value of the real and personal property of the qualified facility on the December 31 immediately preceding the effective date of the commercial rehabilitation exemption certificate after deducting the taxable value of the land and of personal property other than personal property assessed pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14, for the tax year immediately preceding the effective date of the commercial rehabilitation exemption certificate.

(b) Multiplying the mills levied for school operating purposes for that year under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852, and the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, by the taxable value of the real and personal property of the qualified facility, after deducting all of the following:

(i) The taxable value of the land and of the personal property other than personal property assessed

pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14.

(ii) The taxable value used to calculate the tax under subdivision (a).

(3) The commercial rehabilitation tax is an annual tax, payable at the same times, in the same installments, and to the same officer or officers as taxes imposed under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155, are payable. Except as otherwise provided in this section, the officer or officers shall disburse the commercial rehabilitation tax payments received by the officer or officers each year to and among this state, cities, school districts, counties, and authorities, at the same times and in the same proportions as required by law for the disbursement of taxes collected under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155.

(4) For intermediate school districts receiving state aid under sections 56, 62, and 81 of the state school aid act of 1979, 1979 PA 94, MCL 388.1656, 388.1662, and 388.1681, of the amount of commercial rehabilitation tax that would otherwise be disbursed to an intermediate school district, all or a portion, to be determined on the basis of the tax rates being utilized to compute the amount of state aid, shall be paid to the state treasury to the credit of the state school aid fund established by section 11 of article IX of the state constitution of 1963.

(5) The amount of commercial rehabilitation tax described in subsections (2)(a) and (8)(a) that would otherwise be disbursed to a local school district for school operating purposes, and all of the amount described in subsections (2)(b) and (8)(b), shall be paid instead to the state treasury and credited to the state school aid fund established by section 11 of article IX of the state constitution of 1963.

(6) The officer or officers shall send a copy of the amount of disbursement made to each unit under this section to the commission on a form provided by the commission.

(7) A qualified facility located in a renaissance zone under the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, is exempt from the commercial rehabilitation tax levied under this act to the extent and for the duration provided pursuant to the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, except for that portion of the commercial rehabilitation tax attributable to a special assessment or a tax described in section 7ff(2) of the general property tax act, 1893 PA 206, MCL 211.7ff. The commercial rehabilitation tax calculated under this subsection shall be disbursed proportionately to the taxing unit or units that levied the special assessment or the tax described in section 7ff(2) of the general property tax act, 1893 PA 206, MCL 211.7ff.

(8) The amount of the commercial rehabilitation tax, in each year, for a qualified retail food establishment that was issued a certificate on or before December 31, 2009, shall be determined by adding the results of both of the following calculations:

(a) Multiplying the total mills levied as ad valorem taxes for that year by all taxing units within which the qualified facility is located by the taxable value of the real and personal property of the qualified facility on the December 31 immediately preceding the rehabilitation after deducting the taxable valuation of the land and of personal property other than personal property assessed pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14, for the tax year immediately preceding the rehabilitation.

(b) Multiplying the mills levied for school operating purposes for that year under the revised school code, 1976 PA 451, MCL 380.1 to 380.1852, and the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, by the taxable value of the real and personal property of the qualified retail food establishment, after deducting all of the following:

(i) The taxable value of the land and of the personal property other than personal property assessed pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206, MCL 211.8 and 211.14.

(ii) The taxable value used to calculate the tax under subdivision (a).

History: 2005, Act 210, Imd. Eff. Nov. 17, 2005;—Am. 2008, Act 500, Imd. Eff. Jan. 13, 2009.

207.851 Lien.

Sec. 11. The amount of the tax applicable to real property, until paid, is a lien upon the real property to which the certificate is applicable. Proceedings upon the lien as provided by law for the foreclosure in the circuit court of mortgage liens upon real property may commence only upon the filing by the appropriate collecting officer of a certificate of nonpayment of the commercial rehabilitation tax applicable to real property, together with an affidavit of proof of service of the certificate of nonpayment upon the owner of the qualified facility by certified mail, with the register of deeds of the county in which the qualified facility is situated.

History: 2005, Act 210, Imd. Eff. Nov. 17, 2005.

207.852 Commercial rehabilitation exemption certificate; revocation; transfer to subsequent

owner.

Sec. 12. (1) The legislative body of the qualified local governmental unit may, by resolution, revoke the commercial rehabilitation exemption certificate of a facility if it finds that the completion of rehabilitation of the qualified facility has not occurred within the time authorized by the legislative body in the exemption certificate or a duly authorized extension of that time, or that the holder of the commercial rehabilitation exemption certificate has not proceeded in good faith with the operation of the qualified facility in a manner consistent with the purposes of this act and in the absence of circumstances that are beyond the control of the holder of the exemption certificate.

(2) Upon receipt of a request by certified mail to the legislative body of the qualified local governmental unit by the holder of a commercial rehabilitation exemption certificate requesting revocation of the certificate, the legislative body of the qualified local governmental unit may, by resolution, revoke the certificate.

(3) Upon the written request of the holder of a revoked commercial rehabilitation exemption certificate to the legislative body of the qualified local governmental unit and the commission or upon the application of a subsequent owner to the legislative body of the qualified local governmental unit to transfer the revoked commercial rehabilitation exemption certificate to a subsequent owner, and the submission to the commission of a resolution of concurrence by the legislative body of the qualified local governmental unit in which the qualified facility is located, and if the qualified facility continues to qualify under this act, the commission may reinstate a revoked commercial rehabilitation exemption certificate for the holder or a subsequent owner that has applied for the transfer.

History: 2005, Act 210, Imd. Eff. Nov. 17, 2005;—Am. 2018, Act 250, Imd. Eff. June 28, 2018.

207.853 Transfer and assignment of certificate.

Sec. 13. A commercial rehabilitation exemption certificate may be transferred and assigned by the holder of the certificate to a new owner of the qualified facility if the qualified local governmental unit approves the transfer after application by the new owner.

History: 2005, Act 210, Imd. Eff. Nov. 17, 2005.

207.854 Status report by local government.

Sec. 14. Not later than October 15 each year, each qualified local governmental unit granting a commercial rehabilitation exemption shall report to the commission on the status of each exemption. The report must include the current value of the property to which the exemption pertains, the value on which the commercial rehabilitation tax is based, and a current estimate of the number of jobs retained or created by the exemption.

History: 2005, Act 210, Imd. Eff. Nov. 17, 2005.

207.855 Report to legislature.

Sec. 15. (1) The department annually shall prepare and submit to the committees of the house of representatives and senate responsible for tax policy and economic development issues a report on the utilization of commercial rehabilitation districts, based on the information filed with the commission.

(2) After this act has been in effect for 3 years, the department shall prepare and submit to the committees of the house of representatives and senate responsible for tax policy and economic development issues an economic analysis of the costs and benefits of this act in the 3 qualified local governmental units in which it has been most heavily utilized.

History: 2005, Act 210, Imd. Eff. Nov. 17, 2005.

207.856 Exemption not granted after December 31, 2025.

Sec. 16. A new exemption shall not be granted under this act after December 31, 2025, but an exemption then in effect shall continue until the expiration of the exemption certificate.

History: 2005, Act 210, Imd. Eff. Nov. 17, 2005;—Am. 2015, Act 218, Imd. Eff. Dec. 15, 2015;—Am. 2020, Act 217, Imd. Eff. Oct. 15, 2020.

**Frequently Asked Questions
Commercial Rehabilitation Act
(PA 210 of 2005, as amended)**

The following frequently asked questions are being provided as a service to assessors and taxpayers to better inform them about the administration of Public Act 210 of 2005, MCL 207.841 *et seq.*, as amended.

Note: The information contained in these frequently asked questions constitutes an analysis of one or more statutes and not legal advice. Since the analysis is limited to general statutory requirements, individual facts may result in different conclusions being reached. Therefore, individuals may wish to consult legal counsel.

1. What is a Commercial Rehabilitation Exemption?

The Commercial Rehabilitation Act, PA 210 of 2005, MCL 207.841 *et seq.*, as amended, provides a property tax exemption for multifamily residential, commercial business enterprises, or qualified retail food establishments that are rehabilitated and meet the requirements of the Act. Types of commercial business enterprises may include, but are not limited to: office, engineering, research and development, warehousing, parts distribution, retail sales, and other commercial activities. Multifamily residential is defined as housing that consists of five or more units. Qualified retail food establishments are primarily retail supermarkets, grocery stores, produce markets or delicatessens that offer fresh USDA inspected meat and poultry, fresh fruits and vegetables, and dairy products for sale.

Exemptions are approved for a term of 1-10 years as determined by the local unit of government. The property taxes are based on the previous year's, which is the year prior to the rehabilitation, taxable value. The taxable value is frozen for the duration of the exemption. Completed applications are sent to the local governmental unit for review and approval. Qualified retail food establishment applicants must also submit an additional application. If the local governmental unit approves an application, it is forwarded to the State Tax Commission (STC) for further review and approval.

Commercial Rehabilitation Tax Exemption Certificate applications are available from the Michigan Department of Treasury at: www.michigan.gov/propertytaxexemptions.

2. Who establishes a Commercial Rehabilitation District?

The legislative body of a “qualified local governmental unit” may establish a commercial rehabilitation district on its own initiative or upon a written request filed by the owner or owners of property comprising at least 50% of all taxable value of the property located within a proposed commercial rehabilitation district. See question 26 for an explanation of what constitutes a “qualified local governmental unit.”

Frequently Asked Questions
Commercial Rehabilitation Act
(PA 210 of 2005, as amended)

3. What are the requirements for the formation of a Commercial Rehabilitation District?

A Commercial Rehabilitation District may consist of one or more parcels or tracts of land or a portion of a parcel or tract of land, provided that the parcel or tract of land or portion of a parcel or tract of land within the district is a “qualified facility,” as defined by MCL 207.842(h) (see question 27).

A “Commercial Rehabilitation District” or “district” is further defined by MCL 207.842(b) as: “an area not less than 3 acres in size of a qualified local governmental unit However, if the commercial rehabilitation district is located in a downtown or business area or contains a qualified retail food establishment, as determined by the legislative body of the qualified local governmental unit, the district may be less than 3 acres in size.”

Before adopting a resolution establishing a commercial rehabilitation district, the qualified local governmental unit must give written notice by certified mail to the county in which the proposed district is to be located and the owners of all real property within the proposed commercial rehabilitation district and shall afford an opportunity for a hearing on the establishment of the commercial rehabilitation district. The qualified local governmental unit must give public notice of the hearing not less than 10 days or more than 30 days before the date of the hearing.”

Following the public hearing, the legislative body of the qualified local governmental unit may establish a Commercial Rehabilitation District by resolution. The resolution must set forth a finding determination that the district meets the requirements of the Act. A sample resolution can be found at: www.michigan.gov/propertytaxexemptions.

4. Can a request to establish a Commercial Rehabilitation District be denied?

Yes. The qualified local governmental unit must “give written notice by certified mail to the county in which the proposed district is to be located and the owners of all real property within the proposed commercial rehabilitation district and shall afford an opportunity for a hearing on the establishment of the commercial rehabilitation district at which any of those owners and any other resident or taxpayer of the qualified local governmental unit may appear and be heard.” MCL 207.843(3). The local governmental unit may deny the establishment of the district by resolution.

Once the county receives a copy of the resolution establishing a Commercial Rehabilitation District, they have 28 days to reject the establishment of the district by written notification to the qualified local governmental unit by the elected county executive. If the county does not have an elected county executive, the county can reject the establishment of the district by resolution of the county board of commissioners. MCL 207.843(5).

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5. How do I apply for a Commercial Rehabilitation Exemption Certificate?

Applications for Commercial Rehabilitation Exemption Certificates are filed with the local governmental unit by the owner of the property.

File two (2) copies of the completed application and all attachments with the clerk of the local governmental unit where the property is located. The property must meet the following requirements:

- a. The property must be located in a “qualified local governmental unit” as defined by MCL 207.842(i).
- b. The property must be located in a “commercial rehabilitation district” as defined by MCL 207.842(b).
- c. The property must meet the definition of “commercial property” as defined by MCL 207.842(a).
- d. The proposed project must meet the definition of “rehabilitation” in MCL 207.842(k).

6. What documents must accompany an application for a Commercial Rehabilitation Exemption Certificate?

- a. A general description of the facility (including year built, original use, most recent use, number of stories, square footage);
- b. A general description of the rehabilitated facility’s proposed use;
- c. A detailed description of the general nature and extent of the rehabilitation to be undertaken;
- d. A descriptive list of the fixed building equipment that will be a part of the rehabilitated facility;
- e. A time schedule for undertaking and completing the facility’s rehabilitation;
- f. A statement of economic advantages expected from the exemption;
- g. A legal description of the property outlined in the application;
- h. A building permit, if construction has started on the project.

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- i. A contractor's bid or itemized list of costs matching the investment amount reported on the box titled *Estimated Cost of Rehabilitation* on the first page of the application.
- j. A copy of the resolution approved by the local unit establishing the eligible district;
- k. The local unit resolution, containing all the required statements, approving the application for the exemption; and
- l. If applicable, a completed Form 4753, Commercial Rehabilitation Exemption Certification for Qualified Retail Food Establishments.

7. What does the local governmental unit need to do upon receipt of a Commercial Rehabilitation Exemption Certificate Application?

Upon receipt of an application for a Commercial Rehabilitation Exemption Certificate, the clerk of the qualified local governmental unit shall notify, in writing, the assessor and the legislative body of each taxing unit that levies ad valorem property taxes in the qualified local governmental unit in which the qualified facility is located.

Before acting on the application, the qualified local governmental unit must hold a hearing on the application and give notice to the applicant, assessor, a representative of the affected taxing units, and the general public. The hearing must be held separately from the hearing on the establishment of the Commercial Rehabilitation District.

Not more than 60 days after receiving an application, the qualified local governmental unit must approve or disapprove the application by resolution. Certain resolution statements are required. A sample resolution with all required statements, can be found at: www.michigan.gov/propertytaxexemptions.

8. What requirements for a Commercial Rehabilitation Exemption Certificate must be met to gain approval at the local governmental unit level?

An applicant seeking a Commercial Rehabilitation Exemption Certificate must meet the following qualifications:

- a. The commencement of the rehabilitation of the qualified facility does not occur earlier than six months before the applicant files the application for the Commercial Rehabilitation Exemption Certificate.
- b. The application relates to a rehabilitation program that when completed constitutes a qualified facility within the meaning of the act and that shall be situated within a Commercial Rehabilitation District established in a qualified local governmental unit eligible under the act.

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- c. Completion of the qualified facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create employment, retain employment, prevent a loss of employment, revitalize urban areas, or increase the number of residents in the community in which the qualified facility is situated.
- d. The applicant states, in writing, that the rehabilitation of the qualified facility would not be undertaken without the applicant's receipt of the exemption certificate.
- e. The applicant is not delinquent in the payment of any taxes related to the qualified facility.

9. What happens if the qualified local governmental unit approves the application?

If the qualified local governmental unit approves the application, the clerk must forward a copy of the application and resolution to the STC.

10. What happens if the qualified local governmental unit disapproves the application?

If the local governmental unit disapproves the application, the reason for disapproval must be set forth in writing in the resolution, and the clerk must send a copy of the resolution to the applicant and assessor by certified mail.

11. Are there provisions in the application process that are time sensitive?

Yes. MCL 207.848 requires that the commencement of the rehabilitation of the qualified facility does not occur earlier than six months before the applicant files the application for the Commercial Rehabilitation Exemption Certificate.

In addition, State Tax Commission Rule 209.111(2) states that “[a]ll complete applications for commercial rehabilitation exemption certificates received through October 31 shall receive consideration and action by the commission before December 31. An application received on or after November 1 shall be considered by the commission contingent upon staff availability.”

12. What does the STC do when it receives an application and resolution from the clerk of the qualified local governmental unit?

The STC reviews the application for completeness and compliance with the statute. If the application is incomplete, staff sends a letter requesting the missing information. Once the application is complete, the STC is required to either approve or disapprove the application within 60 days. If the application is approved, the STC issues a Commercial Rehabilitation Exemption Certificate, and it is effective December 31st immediately following the date of issuance by the STC.

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13. Who determines if a facility qualifies for a Commercial Rehabilitation Exemption Certificate?

Initially, that determination is made when the application is filed and reviewed by the local governmental unit. However, the local governmental unit's determination is then reviewed by the STC. The STC can approve, modify, or deny the application.

14. Can a decision of the STC regarding a Commercial Rehabilitation Exemption Certificate be appealed?

Yes. A party aggrieved by the issuance, refusal to issue, revocation, transfer or modification of a Commercial Rehabilitation exemption certificate may appeal a final decision of the STC by filing a petition with the Michigan Tax Tribunal, www.michigan.gov/taxtrib, within 35 days. MCL 205.735a(6).

15. What is the term of a Commercial Rehabilitation Exemption Certificate?

A certificate may be issued for a period to be determined by the legislative body of the local governmental unit of at least 1 (one) year but not to exceed 10 (ten) years. If the number of years determined is less than 10 (ten), the certificate may be subject to review by the legislative body of the qualified local governmental unit and the certificate may be extended. The total amount of time determined for the certificate, including any extensions, shall not exceed 10 (ten) years after the completion of the qualified facility.

16. What determines the starting date of a Commercial Rehabilitation Exemption Certificate?

The effective date of the certificate is December 31st immediately following the date of issuance of the certificate by the STC.

17. How is the Commercial Rehabilitation Tax computed for a rehabilitated facility?

A specific tax, known as the commercial rehabilitation tax, is levied upon every owner of a rehabilitated facility to which a Commercial Rehabilitation Exemption Certificate is issued. MCL 207.850.

Calculating the commercial rehabilitation tax is a two-step process.

First, multiply the total mills levied as ad valorem taxes for that year by all taxing units by the taxable value of the real property (excluding land) for the tax year immediately preceding the effective date of the commercial rehabilitation exemption.

Second, multiply the local school district operating and state education tax mills by the difference between the taxable value of the real property (excluding land) for the current

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tax year and the taxable value of the real property (excluding land) for the year immediately preceding the effective date of the exemption.

For a qualified retail food establishment that was issued a certificate on or before December 31, 2009, the tax is the sum of the product computed by multiplying the total mills levied as ad valorem taxes for that year by all taxing units (including local school district operating and the state education tax) by the taxable value of the real property (excluding land) for the tax year immediately preceding the rehabilitation and the product computed by multiplying the local school district operating and state education tax mills by the difference between the taxable value of the real property (excluding land) for the current tax year and the taxable value of the real property (excluding land) for the tax year immediately preceding the rehabilitation.

18. Are special assessment millage rates impacted by the granting of a Commercial Rehabilitation Exemption Certificate?

Special assessment millage rates may be impacted. Millage-based special assessments levied under Public Act 33 of 1951 do not apply to property with a Commercial Rehabilitation Act exemption. However, the special assessments would still be applicable to the land on which the Commercial Rehabilitation Act exemption property is located. Conversely, for millage-based special assessments levied under public acts other than Public Act 33 of 1951, property with a Commercial Rehabilitation Act exemption pays on the full special assessment millage rate, the same as any “ad valorem” property.

19. For Qualified Retail Food Establishments, how do you determine if you are located in an “underserved area?”

Under the “Commercial Rehabilitation Act” link on the Property Tax Exemption Section website (www.michigan.gov/propertytaxexemptions) click on “Qualified Retail Food Establishments.” Then click on “Eligibility Requirements,” which describes how to find the census tract that you are located in. Last, click on “Census Tracts Regarding Underserved Areas” for a listing of qualifying census tracts.

20. Can a Commercial Rehabilitation Exemption Certificate be transferred or amended?

Yes. MCL 207.853 allows a certificate to be transferred and assigned by the holder to a new owner of the qualified facility. The new owner must first apply and be approved by the qualified local governmental unit before the transfer may occur. A certificate may also be amended if the number of years initially exempted was fewer than ten. The certificate may then be subject to review by the legislative body of the qualified local governmental unit and be extended.

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21. Can a Commercial Rehabilitation Exemption Certificate be revoked?

Yes. The legislative body of the qualified local governmental unit may, by resolution, revoke the Commercial Rehabilitation Exemption Certificate of a facility if it finds that the completion of rehabilitation of the qualified facility has not occurred within the time authorized by the legislative body in the exemption certificate or a duly authorized extension of that time or that the holder of the Commercial Rehabilitation Exemption Certificate has not proceeded in good faith with the operation of the qualified facility in a manner consistent with the purposes of the act and in the absence of circumstances that are beyond control of the holder of the exemption certificate. MCL 207.852(1).

In addition, the holder of a Commercial Rehabilitation Certificate may send, by certified mail, a request to revoke the certificate to the qualified local governmental unit. Upon receipt of the request, the legislative body of the local governmental unit may, by resolution, revoke the certificate. MCL 207.852(2).

22. When does the revocation of a Commercial Rehabilitation Exemption Certificate take effect?

The revocation of a Commercial Rehabilitation Exemption Certificate is effective the December 31st of the year in which the local governmental unit resolves to revoke the certificate.

23. Can a revoked Commercial Rehabilitation Exemption Certificate be reinstated?

Yes. Pursuant to MCL 207.853(3), a Commercial Rehabilitation Certificate can be revoked under two circumstances. If the holder of the revoked certificate is requesting reinstatement, they must submit a written request to the qualified local governmental unit and the STC. If a subsequent owner is requesting reinstatement of a revoked certificate, they must file an application with the qualified local governmental unit.

If the legislative body of the qualified local governmental unit submits a resolution of concurrence to the STC, and the facility continues to qualify under the Act, a revoked Commercial Rehabilitation Exemption Certificate may be reinstated by the STC.

24. What is the definition of “Commercial Property?”

MCL 207.842(a) defines “Commercial Property” as:

“. . . land improvements classified by law for general ad valorem tax purposes as real property including real property assessable as personal property pursuant to sections 8(d) and 14(6) of the general property tax act, 1893 PA 206; MCL 211.8 and 211.14, the primary purpose and use of which is the operation of a commercial business enterprise or multifamily residential use. Commercial property shall also include facilities related to

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a commercial business enterprise under the same ownership at that location, including, but not limited to, office, engineering, research and development, warehousing, parts distribution, retail sales, and other commercial activities. Commercial property also includes a building or group of contiguous buildings previously used for industrial purposes that will be converted to the operation of a commercial business enterprise. Commercial property **does not** include any of the following: land or property of a public utility" (emphasis added).

25. What is the definition of “multifamily residential use?”

“Multifamily residential use’ means multifamily housing consisting of 5 or more units.” MCL 207.842(g).

26. What is the definition of a “qualified local governmental unit?”

“Qualified local governmental unit’ means a city, village, or township.” MCL 207.842(i).

27. What is the definition of a “Qualified Facility?”

A “Qualified Facility” is defined by MCL 207.842(h) as:

“A qualified retail food establishment or a building or group of contiguous buildings of commercial property that is 15 years old or older or has been allocated for a new market tax credit under section 45d of the internal revenue code, 26 USE 45d. Qualified facility also includes a building or a group of contiguous buildings, a portion of a building or group of contiguous buildings previously used for commercial or industrial purposes, obsolete industrial property, and vacant property which within the immediately preceding 15 years, was commercial property as defined in subdivision (a). Qualified facility shall also include vacant property located within a city with a population of more than 500,000 according to the most recent federal decennial census and from which a previous structure has been demolished and on which commercial property is or will be newly constructed provided an application for a certificate has been filed with that city before July 1, 2010. A qualified facility also includes a hotel or motel that has additional meeting or convention space that is attached to a convention and trade center that is over 250,000 square feet in size and that is located within a county with a population of more than 1,100,000 and less than 1,600,000 as of the most recent decennial census. A qualified facility **does not** include property that is to be used as a casino or a professional sports stadium. As used in this subdivision, “casino” means a casino or a parking lot, hotel, motel, or retail store owned or operated by a casino, an affiliate, or an affiliated company, regulated by this state pursuant to the

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Michigan gaming control and revenue act, 1996 IL 1, MCL 432.201 to 432.226" (emphasis added).

28. How is “rehabilitation” defined as it pertains to the Commercial Rehabilitation Act?

“Rehabilitation” is defined by MCL 207.842(k) as:

“. . . [C]hanges to qualified facilities that are required to restore or modify the property, together with all appurtenances, to an economically efficient condition. Rehabilitation includes major renovation and modification including, but not necessarily limited to, the improvement of floor loads, correction of deficient or excessive height, new or improved fixed building equipment including heating, ventilation, and lighting, reducing multistory facilities to 1 or 2 stories, improved structural support including foundations, improved roof structure and cover, floor replacement, improved wall placement, improved exterior and interior appearance of buildings, and other physical changes required to restore or change the property to an economically efficient condition. Rehabilitation for a qualified retail food establishment also includes new construction. Rehabilitation also includes new construction of a qualified facility that is a hotel or motel that has additional meeting or convention space that is attached to a convention or trade center that is over 250,000 square feet in size, located within a county with a population of more than 1,100,000 and less than 1,600,000 as of the most recent decennial census, if that new construction is an economic benefit to the local community as determined by the qualified local governmental unit. Rehabilitation also includes new construction on vacant property from which a previous structure has been demolished and if that new construction is an economic benefit to the local community as determined by the qualified local governmental unit. Rehabilitation shall not include improvements aggregating less than 10% of the true cash value of the property at commencement of the rehabilitation of the qualified facility.”

29. What is required of the Local Governmental Unit regarding the yearly status reporting of Commercial Rehabilitation Exemptions to the STC?

No later than October 15th of each year, the assessor of each qualified local governmental unit containing properties subject to a Commercial Rehabilitation Exemption Certificate shall file Form 4769 *Assessing Officer Report for Commercial Rehabilitation Exemption* with the STC. The report must include the current value of the property to which the exemption pertains, the value on which the commercial rehabilitation tax is based, and a current estimate of the number of jobs retained or created by the exemption, and the number of new residents.

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30. Where can I obtain copies of previously issued Commercial Rehabilitation Exemption Certificates?

Copies of certificates acted upon by the STC after January 1, 2013 are available on the Department of Treasury website at:

www.michigan.gov/propertytaxexemptions.

Choose the exemption program under which the certificate was issued. Within the “Certificate Activity” link, the certificates are listed according to the date they were acted upon.

PUBLIC NOTICE

A PUBLIC HEARING WILL BE HELD FOR THE CONSIDERATION OF THE ESTABLISHMENT OF A COMMERCIAL REHABILITATION DISTRICT UNDER ACT PA 210 OF 2005, AS AMENDED, IN THE CITY OF CLARE, MICHIGAN:

JULY 5, 2022 AT 6:00 P.M.

CLARE CITY HALL

202 W. FIFTH ST.

CLARE, MI 48617

Notice is hereby given that the City of Clare has submitted a request for the establishment of a Commercial Rehabilitation District. The proposed district is commonly known as the Downtown Development Authority district and the property is identified as:

"the area bounded by First Street, Beech Street, Third Street, Maple Street, Ann Arbor Railroad Right-of-Way, Fifth Street, Beech Street, Seventh Street, Pine Street, Sixth Street, Hemlock Street, Fourth Street, Pine Street and back to First Street of Sections 34 & 35, City of Clare, including all Lots of Blocks 9 & 10, Lots 8, 9, 10, 11, 12, 13 & 14 of Block 14, all Lots of Blocks 15, 16, 19, 20, 21, 22, 23, 27, 28, 32 & 33, 38 & 39, Original Plat of the Village of Clare."

In compliance with the Commercial Rehabilitation Act, PA 210 of 2005, MCL 207.841 et. Seq., as amended, a public hearing shall be held for the establishment of a Commercial Rehabilitation District during which time each taxing authority, assessor, property owners, and members of the public will be given an opportunity to appear and be heard on the request for the establishment of a Commercial Rehabilitation District.

NOTICE IS FURTHER GIVEN that the Ideal Theater Clare, LLC., 609 N. McEwan St., Clare, MI has submitted a request to the City of Clare for the approval of a Commercial Rehabilitation Exemption Certificate. In compliance with the Commercial Rehabilitation Act, PA 210 of 2005, MCL 207.841 et. Seq., as amended, a public hearing will be held on July 5, 2022, 6:00 p.m., at the Clare City Hall, 202 W. 5th Street, Clare, MI for consideration of the issuance of a Commercial Rehabilitation Exemption Certificate. Each taxing authority, assessor, property owners, and members of the public will be given an opportunity to appear and be heard on the application request.

If you have comments that you wish to submit regarding these proposals, you may present them in writing to the Clare City Clerk, 202 W. 5th St., Clare MI, or via email to dlyon@cityofclare.org no later than 5 pm on the date of the hearing. You may provide verbal comment by phone (989)386-7541, or you may provide comment in person at the public hearing. The City of Clare is an equal opportunity provider and employer.

Diane Lyon
Clare City Clerk





CITY OF CLARE

202 West Fifth Street | Clare, Michigan 48617-1490
Office 989.386.7541 | Fax 989.386.4508
www.cityofclare.org

June 20, 2022

CITY HALL

Ph 989.386.7541
Fx 989.386.4508
www.cityofclare.org
Manager x102
Assessor x103
Clerk x106
Treasurer x107

DEPARTMENT OF PUBLIC WORKS

Ph 989.386.2182 or
989.386.7541 x202
Fx 989.386.4508

UTILITY BILLING

Ph 989.386.7541 x201

W/WWT PLANT

Ph 989.386.2321
Fx 989.386.2387

POLICE DEPT. NON-EMERGENCY

Ph 989.386.2121
Fx 989.386.0440

FIRE DEPT. NON-EMERGENCY

Ph 989.386.2151
Fx 989.386.3020

PARKS & RECREATION

Ph 989.386.7541 x213
Fx 989.386.4508

AIRPORT

Ph 989.386.0445
Fx 989.386.4508

Dear Property Owner:

You are receiving this letter because you own property within 300 feet of Ideal Theater Clare LLC., 607-609 N. McEwan St., Clare, Michigan, who has submitted an application for a Commercial Rehabilitation Exemption Certificate in accordance with the provisions of PA 210 of 2005, as amended.

You are hereby notified that the City of Clare intends to establish a Commercial Rehabilitation District (CRD) under the provisions of PA 210 of 2005, as amended, of the Public Acts of the State of Michigan.

The Clare City Commission will hold a public hearing regarding the establishment of the CRD at its regularly scheduled meeting on Tuesday, July 5th, 2022, at 6:00 p.m., at Clare City Hall, 202 W. 5th St., Clare, MI, 48617.

Provided the Clare City Commission establishes the Commercial Rehabilitation District at their July 5th meeting, the City Commission will then hold a public hearing to consider the application for the Commercial Rehabilitation Exemption Certificate at its regularly scheduled meeting on Monday, July 18th, 2022, at 6:00 p.m., at Clare City Hall, 202 W. 5th St., Clare, MI, 48617.

A copy of the combined notice detailing the hearings is enclosed for your information. If you wish to submit a statement regarding the above referenced requests, please submit that information to the City Clerk's office prior to 5:00 p.m. on the date of the hearings.

Sincerely,

Diane Lyon
City Clerk

Enclosure(s)

MID MICH MEDICAL CENTER CLARE
703 N MC EWAN ST
CLARE, MI 48617

HOTEL DOHERTY INC
604 N MC EWAN ST
CLARE, MI 48617

611 NORTH MC EWAN LLC
611 N MC EWAN ST
CLARE, MI 48617

IDEAL THEATER CLARE LLC
13854 SIMONE DR
SHELBY TWP, MI 48315

SCOTT ALAN D
8400 W BEAVERTON RD
LAKE, MI 48632

KLEINHARDT LARRY
3560 S CORNWELL AVE
CLARE, MI 48617

CONGREGATIONAL CHURCH
112 W FIFTH ST
CLARE, MI 48617

E & M ASSOCIATES LLC
114 W FIFTH ST
CLARE, MI 48617

U S POST OFFICE
111 W FIFTH ST
CLARE, MI 48617

KOCH RENTAL ENTERPRISES
525 N MC EWAN ST
CLARE, MI 48617

COPS PROPERTIES LLC
521 N MC EWAN ST
CLARE, MI 48617

THOMAS & MARSHA CLARINGBOLD
518 N. MCEWAN ST.
CLARE MI 48617

DIANE SADLER
1606 N. MCEWAN ST.
CLARE MI 48617

515 MCEWAN LLC
3560 S CORNWELL
CLARE, MI 48617

HICKS JEWELERS AND REPAIRS LLC
513 N MC EWAN ST
CLARE, MI 48617

JOLIGRO LLC
11271 HARRISON AVE
FARWELL, MI 48622

FOLKERTS COFFEE CREATIONS LLC
1522 COLUMBUS DR
FARWELL, MI 48622

BOLLE TRACY
11377 N LEATON RD
CLARE, MI 48617

FOURTH STREET SENIOR LIMITED
805 W BROADWAY STE #1
MOUNT PLEASANT, MI 48858

ISABELLA BANK & TRUST
P O BOX 100
MOUNT PLEASANT, MI 48804



CITY OF CLARE

202 West Fifth Street | Clare, Michigan 48617-1490
Office 989.386.7541 | Fax 989.386.4508
www.cityofclare.org

June 20, 2022

CITY HALL

Ph 989.386.7541
Fx 989.386.4508
www.cityofclare.org
Manager x102
Assessor x103
Clerk x106
Treasurer x107

DEPARTMENT OF PUBLIC WORKS

Ph 989.386.2182 or 989.386.7541 x202
Fx 989.386.4508

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Fx 989.386.0440

FIRE DEPT. NON-EMERGENCY

Ph 989.386.2151
Fx 989.386.3020

PARKS & RECREATION

Ph 989.386.7541 x213
Fx 989.386.4508

AIRPORT

Ph 989.386.0445
Fx 989.386.4508

Dear DDA Property Owner:

Please accept this letter as notification that the City of Clare intends to establish a Commercial Rehabilitation District (CRD) under the provisions of PA 210 of 2005, as amended, of the Public Acts of the State of Michigan. In addition, we are notifying you that the City of Clare has received an application for a Commercial Rehabilitation Exemption Certificate (CREC) from Ideal Theater Clare LLC., 607-609 N. McEwan St., Clare, Michigan, for abatement of property tax in accordance with the provisions of PA 210 of 2005, as amended.

The Clare City Commission will hold a public hearing regarding the establishment of the CRD at its regularly scheduled meeting on Tuesday, July 5, 2022, at 6:00 p.m., at Clare City Hall, 202 W. 5th St., Clare, MI, 48617.

Provided the Clare City Commission establishes the Commercial Rehabilitation District at their July 5th meeting, the City Commission will then hold a public hearing to consider the application for the Commercial Rehabilitation Exemption Certificate at its regularly scheduled meeting on Monday, July 18th, 2022, at 6:00 p.m., at Clare City Hall, 202 W. 5th St., Clare, MI, 48617.

A copy of the combined notice providing details about the hearings is enclosed for your information. If you wish to submit a statement regarding the above referenced requests, please submit that information to my attention prior to 5:00 p.m. on the date of the hearings.

Sincerely,

Diane Lyon
City Clerk

Enclosure(s)

051-067-008-00 215-501 LLC 1038 LINCOLN DR WEIDMAN MI 48893-9365	051-065-007-80 515 MCEWAN LLC 3560 S CORNWELL RD CLARE MI 48617	051-060-008-00 611 NORTH MCEWAN LLC 611 N MCEWAN ST CLARE MI 48617
051-067-006-10 ALEXANDER LIMITED PARTNERSHIP, L.P. 116 COURT ST MOUNT PLEASANT MI 48858	051-071-006-00 AMERITECH #26545 BILL PAYMENT CENTER 1365 CASS AVE ROOM 925 DETROIT MI 48226-1598	051-065-011-01 BADOUR EDWARD C & STEPHANIE 118 W FOURTH ST CLARE MI 48617
051-071-002-00 BLIEK JOHN & LYNNE 420 N MCEWAN ST CLARE MI 48617	051-034-405-04 BURMEISTER RUSSELL SCOTT & KAREN 11335 E MONROE RD GLADWIN MI 48624	051-034-408-01 CLARABELLA GROUP LLC 307 N MCEWAN ST CLARE MI 48617
051-066-014-00 CLARE HARDWARE 1 LLC 2351 N EIGHT MILE RD SANFORD MI 48657	051-066-002-50 CLARINGBOLD THOMAS & MARSHA 516 N MCEWAN ST CLARE MI 48617	051-065-008-75 COFFEE MILL TALK LLC 505 N MCEWAN CLARE MI 48617
051-060-011-00 CONGREGATIONAL CHURCH 110 W FIFTH ST CLARE MI 48617	051-058-008-00 COOPER SAMUEL 213 E FIFTH ST CLARE MI 48617	051-065-006-00 COPS PROPERTIES LLC 521 N MCWAN ST CLARE MI 48617
051-067-010-00 CROZIER EDWARD W IV ESTATE OF CARE OF: CROZIER KAYLEE 23116 SOCIA SAINT CLAIR SHORES MI 48082	051-067-011-00 DANGLER DANIEL LEE 207 E FOURTH ST CLARE MI 48617	051-054-003-00 DOHERTY OPERATING CORPORATION 604 N MCEWAN CLARE MI 48617
051-054-002-00 DOHERTY, D. & J. 604 N MCEWAN ST CLARE MI 48617	051-054-006-50 DWYER-SYNDER DANIAL& SOMERS MICHAEL 112 E SEVENTH ST CLARE MI 48617	051-060-014-00 E&M ASSOCIATES, L.L.C. 114 W FIFTH ST CLARE MI 48617
051-065-008-50 FOLKERTS COFFEE CREATIONS LLC FOLKERT DEIDRE 1522 COLUMBUS DRIVE FARWELL MI 48622	051-065-011-60 FOURTH STREET SENIOR LIMIITED LDHA KMO PRESTIGE 102 S MAIN ST 2ND FLOOR MOUNT PLEASANT MI 48858	051-072-007-60 GRAHAM DAVID R & VIRGIL E 8508 LOKER DR LAKE MI 48632
051-065-009-80 HARRISON & NEWMAN PROPERTIES LLC 112 W FOURTH ST CLARE MI 48617	051-066-007-00 HERRICK HOUSE LLC 4927 E HERRICK CLARE MI 48617	051-065-008-00 HICKS JEWELERS & REPAIR LLC 513 N MCEWAN ST CLARE MI 48617-1438
051-054-007-00 HOTEL DOHERTY INC 604 N MCEWAN ST CLARE MI 48617	051-060-009-00 IDEAL THEATER CLARE LLC 13854 SIMONE DR UTICA MI 48315	051-071-014-00 IDKWHY RENTALS LLC P O BOX 548 BEAVERTON MI 48612

051-066-001-00 ISABELLA BANK P O BOX 100 MOUNT PLEASANT MI 48804-0100	051-082-011-50 JANSEN WARREN DALE 110 W FIRST ST CLARE MI 48617	051-058-014-00 JEFFERSON MILLARD GROUP INC C/O TRUCKS, JAY R 600 PINE ST CLARE MI 48617
051-065-008-25 JOLIGRO LLC 11271 HARRISON AVE FARWELL MI 48622	051-054-004-00 KANE JAMES & MAXINE 106 E SEVENTH ST CLARE MI 48617	051-060-009-65 KLEINHARDT LARRY 3560 S CORNWELL CLARE MI 48617
051-065-006-50 KOCH RENTAL ENTERPRISES LLC TOM KOCH 206 W SEVENTH ST CLARE MI 48617	051-058-013-00 LLOYD DONALD L JR 6155 PLEASANTVIEW DR CLARE MI 48617	051-054-001-10 MANMIT LLC 718 N MCEWAN ST CLARE MI 48617
051-071-001-30 MEISTER ANDY & ELAINE 112 E FOURTH ST CLARE MI 48617	051-054-005-00 MEISTER RENTALS LLC 5926 E NORTH CO LINE RD CLARE MI 48617	051-065-010-02 MERCER STEPHANIE A 118 W FOURTH ST CLARE MI 48617
051-072-008-50 MONTINI PETER & DIANE CLARE PRINT & PULP 409 N MCEWAN ST CLARE MI 48617	051-067-015-00 MORRIS DAWN 4011 ADAMS RD LAKE MI 48632	051-060-009-35 MURPHY CAROLYN M 601 N MCEWAN ST CLARE MI 48617
051-071-012-00 NORTHERN MICHIGAN LAND & CATTLE CO 750 INDUSTRIAL DR CLARE MI 48617	051-071-011-00 NORTHERN MICHIGAN LAND AND CATTLE 750 INDUSTRIAL DR CLARE MI 48617	051-072-006-75 OBERLOIER SMITH PROPERTIES LLC 810 DALE RD BEAVERTON MI 48612
051-066-008-20 PERE MARQUETTE DISTRICT LIBRARY 185 E FOURTH ST CLARE MI 48617	051-082-007-10 RAMBO SCOTT A & MELINDA J 916 N VAN DYKE BAD AXE MI 48413	051-067-001-00 RANK GREGORY LEE 8072 ANTWERP CIR PORT CHARLOTTE FL 33981
051-064-001-01 RICK ANDERSON LLC 214 W FOURTH ST CLARE MI 48617	051-034-406-03 RICKETTS JASON C & TICE JON 405 N MCEWAN ST CLARE MI 48617	051-064-001-02 ROSEBUSH PROPERTIES LLC 214 W FOURTH STREET CLARE MI 48617
051-066-002-30 SADLER DIANE 1606 N MCEWAN ST CLARE MI 48617	051-060-009-25 SCOTT ALAN D 605 N MCEWAN ST CLARE MI 48617-1439	051-082-014-00 SECKLER GREGORY H 525 8TH AVENUE SE LARGO FL 33771
051-900-219-18 SHARPCO WELDING & FABRICATION LLC 26 CONSUMERS ENERGY PARKWAY CLARE MI 48617	051-071-013-05 SHINDORF AMY 412 N MCEWAN ST CLARE MI 48617	051-066-013-00 SIAN DENNIS DALE & KATHY 2351 N EIGHT MILE RD SANFORD MI 48657

051-071-010-00

SMITH AMANDA L

113 E THIRD ST

CLARE MI 48617

051-081-013-00

SNYDER KAREN A

1630 W M-61

GLADWIN MI 48624

051-064-013-00

THAYER CAROL

3724 W BEACON AVE

SPOKANE WA 99208

051-058-012-00

THEISEN RICHARD W

205 E FIFTH ST

CLARE MI 48617

051-054-006-00

TICE RITA M

110 E SEVENTH ST

CLARE MI 48617

051-065-004-01

U S POST OFFICE

111 W FIFTH ST

CLARE MI 48617

051-060-007-00

WEISSEND PAUL A

613 N MCEWAN ST

CLARE MI 48617

051-058-010-00

WINTER ANNABELLE

27 FAIRVIEW BLVD

FARWELL MI 48622-9462

051-082-011-10

YOUNGBLOOD TINA

106 W FIRST ST

CLARE MI 48617



CITY OF CLARE

202 West Fifth Street | Clare, Michigan 48617-1490
Office 989.386.7541 | Fax 989.386.4508
www.cityofclare.org

June 20, 2022

CITY HALL

Ph 989.386.7541
Fx 989.386.4508
www.cityofclare.org
Manager x102
Assessor x103
Clerk x106
Treasurer x107

Mr. James Walter II
Superintendent
Clare Public Schools
201 E. State Street
Clare, MI 48617

DEPARTMENT OF PUBLIC WORKS

Ph 989.386.2182 or 989.386.7541 x202
Fx 989.386.4508

UTILITY BILLING

Ph 989.386.7541 x201

W/WWT PLANT

Ph 989.386.2321
Fx 989.386.2387

POLICE DEPT. NON-EMERGENCY

Ph 989.386.2121
Fx 989.386.0440

FIRE DEPT. NON-EMERGENCY

Ph 989.386.2151
Fx 989.386.3020

PARKS & RECREATION

Ph 989.386.7541 x213
Fx 989.386.4508

AIRPORT

Ph 989.386.0445
Fx 989.386.4508

Dear Mr. Walter:

Please accept this letter as notification that the City of Clare intends to establish a Commercial Rehabilitation District (CRD) under the provisions of PA 210 of 2005, as amended, of the Public Acts of the State of Michigan. In addition, we are notifying you that the City of Clare has received an application for a Commercial Rehabilitation Exemption Certificate (CREC) from Ideal Theater Clare LLC, 607-609 N. McEwan St., Clare, Michigan, for abatement of property tax in accordance with the provisions of PA 210 of 2005, as amended.

The Clare City Commission will hold a public hearing regarding the establishment of the CRD at its regularly scheduled meeting on Tuesday, July 5, 2022, at 6:00 p.m., at Clare City Hall, 202 W. 5th St., Clare, MI, 48617.

Provided the Clare City Commission establishes the Commercial Rehabilitation District at the July 5th meeting, the City Commission will then hold a public hearing to consider the application for the Commercial Rehabilitation Exemption Certificate at its regularly scheduled meeting on Monday, July 18th, 2022, at 6:00 p.m., at Clare City Hall, 202 W. 5th St., Clare, MI, 48617.

A copy of the combined notice detailing the hearings is enclosed for your information. If you wish to submit a statement regarding the above referenced requests, please submit that information to my attention prior to 5:00 p.m. on the date of the hearings.

You may contact me at dlyon@cityofclare.org or (989) 429-4068 if you have questions regarding this matter.

Sincerely,


Diane Lyon
Clare City Clerk

Enclosure(s)



CITY OF CLARE

202 West Fifth Street | Clare, Michigan 48617-1490
Office 989.386.7541 | Fax 989.386.4508
www.cityofclare.org

June 20, 2022

CITY HALL

Ph 989.386.7541
Fx 989.386.4508
www.cityofclare.org
Manager x102
Assessor x103
Clerk x106
Treasurer x107

Mrs. Lori Phelps, Administrator
Clare County
PO Box 438
225 W. Main St.
Harrison MI 48625

DEPARTMENT OF PUBLIC WORKS

Ph 989.386.2182 or
989.386.7541 x202
Fx 989.386.4508

UTILITY BILLING

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PARKS & RECREATION

Ph 989.386.7541 x213
Fx 989.386.4508

AIRPORT

Ph 989.386.0445
Fx 989.386.4508

Dear Mrs. Phelps:

Please accept this letter as notification that the City of Clare intends to establish a Commercial Rehabilitation District (CRD) under the provisions of PA 210 of 2005, as amended, of the Public Acts of the State of Michigan. In addition, we are notifying you that the City of Clare has received an application for a Commercial Rehabilitation Exemption Certificate (CREC) from Ideal Theater Clare LLC, 607-609 N. McEwan St., Clare, Michigan, for abatement of property tax in accordance with the provisions of PA 210 of 2005, as amended.

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You may contact me at dlyon@cityofclare.org or (989) 429-4068 if you have questions regarding this matter.

Sincerely,

Diane Lyon
Clare City Clerk

Enclosure(s)



CITY OF CLARE

202 West Fifth Street | Clare, Michigan 48617-1490
Office 989.386.7541 | Fax 989.386.4508
www.cityofclare.org

June 20, 2022

CITY HALL

Ph 989.386.7541
Fx 989.386.4508
www.cityofclare.org
Manager x102
Assessor x103
Clerk x106
Treasurer x107

Mrs. Lori Mott, Clerk
Clare County
PO Box 438
225 W. Main St.
Harrison MI 48625

DEPARTMENT OF PUBLIC WORKS

Ph 989.386.2182 or 989.386.7541 x202
Fx 989.386.4508

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PARKS & RECREATION

Ph 989.386.7541 x213
Fx 989.386.4508

AIRPORT

Ph 989.386.0445
Fx 989.386.4508

Dear Mrs. Mott:

Please accept this letter as notification that the City of Clare intends to establish a Commercial Rehabilitation District (CRD) under the provisions of PA 210 of 2005, as amended, of the Public Acts of the State of Michigan. In addition, we are notifying you that the City of Clare has received an application for a Commercial Rehabilitation Exemption Certificate (CREC) from Ideal Theater Clare LLC, 607-609 N. McEwan St., Clare, Michigan, for abatement of property tax in accordance with the provisions of PA 210 of 2005, as amended.

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You may contact me at dlyon@cityofclare.org or (989) 429-4068 if you have questions regarding this matter.

Sincerely,

Diane Lyon
Clare City Clerk

Enclosure(s)



CITY OF CLARE

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www.cityofclare.org

June 20, 2022

CITY HALL

Ph 989.386.7541
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www.cityofclare.org
Manager x102
Assessor x103
Clerk x106
Treasurer x107

Mrs. Sheila Bissonnette, MLIS
Library Director
Pere Marquette District Library
185 East Fourth Street
Clare, MI 48617

DEPARTMENT OF PUBLIC WORKS

Ph 989.386.2182 or
989.386.7541 x202
Fx 989.386.4508

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PARKS & RECREATION

Ph 989.386.7541 x213
Fx 989.386.4508

AIRPORT

Ph 989.386.0445
Fx 989.386.4508

Dear Mrs. Bissonnette:

Please accept this letter as notification that the City of Clare intends to establish a Commercial Rehabilitation District (CRD) under the provisions of PA 210 of 2005, as amended, of the Public Acts of the State of Michigan. In addition, we are notifying you that the City of Clare has received an application for a Commercial Rehabilitation Exemption Certificate (CREC) from Ideal Theater Clare LLC, 607-609 N. McEwan St., Clare, Michigan, for abatement of property tax in accordance with the provisions of PA 210 of 2005, as amended.

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You may contact me at dlyon@cityofclare.org or (989) 429-4068 if you have questions regarding this matter.

Sincerely,

Diane Lyon
Clare City Clerk

Enclosure(s)



CITY OF CLARE

202 West Fifth Street | Clare, Michigan 48617-1490
Office 989.386.7541 | Fax 989.386.4508
www.cityofclare.org

June 20, 2022

CITY HALL

Ph 989.386.7541
Fx 989.386.4508
www.cityofclare.org
Manager x102
Assessor x103
Clerk x106
Treasurer x107

Mr. Tim Hood, President
Mid Michigan Community College
1375 S .Clare Avenue
Harrison, MI 48625

Dear Mr. Hood:

Please accept this letter as notification that the City of Clare intends to establish a Commercial Rehabilitation District (CRD) under the provisions of PA 210 of 2005, as amended, of the Public Acts of the State of Michigan. In addition, we are notifying you that the City of Clare has received an application for a Commercial Rehabilitation Exemption Certificate (CREC) from Ideal Theater Clare LLC, 607-609 N. McEwan St., Clare, Michigan, for abatement of property tax in accordance with the provisions of PA 210 of 2005, as amended.

DEPARTMENT OF PUBLIC WORKS

Ph 989.386.2182 or 989.386.7541 x202
Fx 989.386.4508

UTILITY BILLING

Ph 989.386.7541 x201

W/WWT PLANT

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PARKS & RECREATION

Ph 989.386.7541 x213
Fx 989.386.4508

AIRPORT

Ph 989.386.0445
Fx 989.386.4508

The Clare City Commission will hold a public hearing regarding the establishment of the CRD at its regularly scheduled meeting on Tuesday, July 5, 2022, at 6:00 p.m., at Clare City Hall, 202 W. 5th St., Clare, MI, 48617.

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You may contact me at dlyon@cityofclare.org or (989) 429-4068 if you have questions regarding this matter.

Sincerely,

Diane Lyon
Clare City Clerk

Enclosure(s)



CITY OF CLARE

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www.cityofclare.org

June 20, 2022

CITY HALL

Ph 989.386.7541
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www.cityofclare.org
Manager x102
Assessor x103
Clerk x106
Treasurer x107

Ms. Sheryl Presler
Superintendent
Clare-Gladwin RESD
4041 E. Mannsiding Road
Clare, MI 48617

DEPARTMENT OF PUBLIC WORKS

Ph 989.386.2182 or 989.386.7541 x202
Fx 989.386.4508

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PARKS & RECREATION

Ph 989.386.7541 x213
Fx 989.386.4508

AIRPORT

Ph 989.386.0445
Fx 989.386.4508

Dear Ms. Presler:

Please accept this letter as notification that the City of Clare intends to establish a Commercial Rehabilitation District (CRD) under the provisions of PA 210 of 2005, as amended, of the Public Acts of the State of Michigan. In addition, we are notifying you that the City of Clare has received an application for a Commercial Rehabilitation Exemption Certificate (CREC) from Ideal Theater Clare LLC, 607-609 N. McEwan St., Clare, Michigan, for abatement of property tax in accordance with the provisions of PA 210 of 2005, as amended.

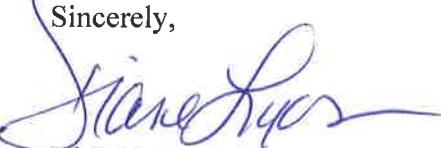
The Clare City Commission will hold a public hearing regarding the establishment of the CRD at its regularly scheduled meeting on Tuesday, July 5, 2022, at 6:00 p.m., at Clare City Hall, 202 W. 5th St., Clare, MI, 48617.

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You may contact me at dlyon@cityofclare.org or (989) 429-4068 if you have questions regarding this matter.

Sincerely,


Diane Lyon
Clare City Clerk

Enclosure(s)



CITY OF CLARE

202 West Fifth Street | Clare, Michigan 48617-1490
Office 989.386.7541 | Fax 989.386.4508
www.cityofclare.org

June 20, 2022

CITY HALL

Ph 989.386.7541
Fx 989.386.4508
www.cityofclare.org
Manager x102
Assessor x103
Clerk x106
Treasurer x107

Mr. Tom Pirnstill, Executive Director
Clare County Transit Corporation
1473 Transportation Dr.
Harrison MI 48625

Dear Mr. Pirnstill:

Please accept this letter as notification that the City of Clare intends to establish a Commercial Rehabilitation District (CRD) under the provisions of PA 210 of 2005, as amended, of the Public Acts of the State of Michigan. In addition, we are notifying you that the City of Clare has received an application for a Commercial Rehabilitation Exemption Certificate (CREC) from Ideal Theater Clare LLC, 607-609 N. McEwan St., Clare, Michigan, for abatement of property tax in accordance with the provisions of PA 210 of 2005, as amended.

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You may contact me at dlyon@cityofclare.org or (989) 429-4068 if you have questions regarding this matter.

Sincerely,

Diane Lyon
Clare City Clerk

Enclosure(s)



CITY OF CLARE

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June 20, 2022

CITY HALL

Ph 989.386.7541
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Manager x102
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Treasurer x107

DEPARTMENT OF PUBLIC WORKS

Ph 989.386.2182 or 989.386.7541 x202
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UTILITY BILLING

Ph 989.386.7541 x201

W/WWT PLANT

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POLICE DEPT. NON-EMERGENCY

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PARKS & RECREATION

Ph 989.386.7541 x213
Fx 989.386.4508

AIRPORT

Ph 989.386.0445
Fx 989.386.4508

Mr. Jim Allen, Chairman
Downtown Development Authority
412 Wilcox Pkwy
Clare, MI 48617

Dear Mr. Allen:

Please accept this letter as notification that the City of Clare intends to establish a Commercial Rehabilitation District (CRD) under the provisions of PA 210 of 2005, as amended, of the Public Acts of the State of Michigan. In addition, we are notifying you that the City of Clare has received an application for a Commercial Rehabilitation Exemption Certificate (CREC) from Ideal Theater Clare LLC, 607-609 N. McEwan St., Clare, Michigan, for abatement of property tax in accordance with the provisions of PA 210 of 2005, as amended.

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You may contact me at dlyon@cityofclare.org or (989) 429-4068 if you have questions regarding this matter.

Sincerely,

Diane Lyon
Clare City Clerk

Enclosure(s)



CITY OF CLARE

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June 21, 2022

CITY HALL

Ph 989.386.7541
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Manager x102
Assessor x103
Clerk x106
Treasurer x107

Ms. Nicole F. Frost
Isabella County Administrator
200 North Main St.
Mt. Pleasant MI 48858

DEPARTMENT OF PUBLIC WORKS

Ph 989.386.2182 or
989.386.7541 x202
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Ph 989.386.7541 x213
Fx 989.386.4508

AIRPORT

Ph 989.386.0445
Fx 989.386.4508

Dear Ms. Frost:

Please accept this letter as notification that the City of Clare intends to establish a Commercial Rehabilitation District (CRD) under the provisions of PA 210 of 2005, as amended, of the Public Acts of the State of Michigan. In addition, we are notifying you that the City of Clare has received an application for a Commercial Rehabilitation Exemption Certificate (CREC) from Ideal Theater Clare LLC, 607-609 N. McEwan St., Clare, Michigan, for abatement of property tax in accordance with the provisions of PA 210 of 2005, as amended.

The Clare City Commission will hold a public hearing regarding the establishment of the CRD at its regularly scheduled meeting on Tuesday, July 5, 2022, at 6:00 p.m., at Clare City Hall, 202 W. 5th St., Clare, MI, 48617.

Provided the Clare City Commission establishes the Commercial Rehabilitation District at the July 5th meeting, the City Commission will then hold a public hearing to consider the application for the Commercial Rehabilitation Exemption Certificate at its regularly scheduled meeting on Monday, July 18th, 2022, at 6:00 p.m., at Clare City Hall, 202 W. 5th St., Clare, MI, 48617.

A copy of the combined notice detailing the hearings is enclosed for your information. If you wish to submit a statement regarding the above referenced requests, please submit that information to my attention prior to 5:00 p.m. on the date of the hearings.

You may contact me at dlyon@cityofclare.org or (989) 429-4068 if you have questions regarding this matter.

Sincerely,

Diane Lyon
Clare City Clerk

Enclosure(s)



CITY OF CLARE

202 West Fifth Street | Clare, Michigan 48617-1490
Office 989.386.7541 | Fax 989.386.4508
www.cityofclare.org

June 21, 2022

CITY HALL

Ph 989.386.7541
Fx 989.386.4508
www.cityofclare.org
Manager x102
Assessor x103
Clerk x106
Treasurer x107

DEPARTMENT OF PUBLIC WORKS

Ph 989.386.2182 or 989.386.7541 x202
Fx 989.386.4508

UTILITY BILLING

Ph 989.386.7541 x201

W/WWT PLANT

Ph 989.386.2321
Fx 989.386.2387

POLICE DEPT. NON-EMERGENCY

Ph 989.386.2121
Fx 989.386.0440

FIRE DEPT. NON-EMERGENCY

Ph 989.386.2151
Fx 989.386.3020

PARKS & RECREATION

Ph 989.386.7541 x213
Fx 989.386.4508

AIRPORT

Ph 989.386.0445
Fx 989.386.4508

Mr. Rick Collins, Executive Director
Isabella County Transportation Commission
2100 E. Transportation Dr.
Mt. Pleasant MI 48858

Dear Mr. Collins:

Please accept this letter as notification that the City of Clare intends to establish a Commercial Rehabilitation District (CRD) under the provisions of PA 210 of 2005, as amended, of the Public Acts of the State of Michigan. In addition, we are notifying you that the City of Clare has received an application for a Commercial Rehabilitation Exemption Certificate (CREC) from Ideal Theater Clare LLC, 607-609 N. McEwan St., Clare, Michigan, for abatement of property tax in accordance with the provisions of PA 210 of 2005, as amended.

The Clare City Commission will hold a public hearing regarding the establishment of the CRD at its regularly scheduled meeting on Tuesday, July 5, 2022, at 6:00 p.m., at Clare City Hall, 202 W. 5th St., Clare, MI, 48617.

Provided the Clare City Commission establishes the Commercial Rehabilitation District at the July 5th meeting, the City Commission will then hold a public hearing to consider the application for the Commercial Rehabilitation Exemption Certificate at its regularly scheduled meeting on Monday, July 18th, 2022, at 6:00 p.m., at Clare City Hall, 202 W. 5th St., Clare, MI, 48617.

A copy of the combined notice detailing the hearings is enclosed for your information. If you wish to submit a statement regarding the above referenced requests, please submit that information to my attention prior to 5:00 p.m. on the date of the hearings.

You may contact me at dlyon@cityofclare.org or (989) 429-4068 if you have questions regarding this matter.

Sincerely,

Diane Lyon
Clare City Clerk

Enclosure(s)



CITY OF CLARE

202 West Fifth Street | Clare, Michigan 48617-1490
Office 989.386.7541 | Fax 989.386.4508
www.cityofclare.org

June 20, 2022

CITY HALL

Ph 989.386.7541
Fx 989.386.4508
www.cityofclare.org
Manager x102
Assessor x103
Clerk x106
Treasurer x107

Sandra Wright
13854 Simone Drive
Shelby Twp. MI 48315

Dear Ms. Wright:

DEPARTMENT OF PUBLIC WORKS
Ph 989.386.2182 or 989.386.7541 x202
Fx 989.386.4508

UTILITY BILLING
Ph 989.386.7541 x201

W/WWT PLANT
Ph 989.386.2321
Fx 989.386.2387

POLICE DEPT. NON-EMERGENCY
Ph 989.386.2121
Fx 989.386.0440

FIRE DEPT. NON-EMERGENCY
Ph 989.386.2151
Fx 989.386.3020

PARKS & RECREATION
Ph 989.386.7541 x213
Fx 989.386.4508

AIRPORT
Ph 989.386.0445
Fx 989.386.4508

The following information was provided in a letter sent to the taxing authorities in Clare County as part of the process for the Commercial Rehabilitation Exemption Certificate (CREC) application you have submitted:

Please accept this letter as notification that the City of Clare intends to establish a Commercial Rehabilitation District (CRD) under the provisions of PA 210 of 2005, as amended, of the Public Acts of the State of Michigan. In addition, we are notifying you that the City of Clare has received an application for a Commercial Rehabilitation Exemption Certificate (CREC) from Ideal Theater Clare LLC, 607-609 N. McEwan St., Clare, Michigan, for abatement of property tax in accordance with the provisions of PA 210 of 2005, as amended.

The Clare City Commission will hold a public hearing regarding the establishment of the CRD at its regularly scheduled meeting on Tuesday, July 5, 2022, at 6:00 p.m., at Clare City Hall, 202 W. 5th St., Clare, MI, 48617.

Provided the Clare City Commission establishes the Commercial Rehabilitation District at the July 5th meeting, the City Commission will then hold a public hearing to consider the application for the Commercial Rehabilitation Exemption Certificate at its regularly scheduled meeting on Monday, July 18th, 2022, at 6:00 p.m., at Clare City Hall, 202 W. 5th St., Clare, MI, 48617.

A copy of the combined notice detailing the hearings is enclosed for your information. If you wish to submit a statement regarding the above referenced requests, please submit that information to my attention prior to 5:00 p.m. on the date of the hearings.

You may contact me at dlyon@cityofclare.org or (989) 429-4068 if you have questions regarding this matter.

Sincerely,


Diane Lyon, Clare City Clerk

Enclosure(s)



CITY OF CLARE

202 West Fifth Street | Clare, Michigan 48617-1490
Office 989.386.7541 | Fax 989.386.4508
www.cityofclare.org

June 20, 2022

CITY HALL

Ph 989.386.7541
Fx 989.386.4508
www.cityofclare.org
Manager x102
Assessor x103
Clerk x106
Treasurer x107

Mr. Edward VanderVries
Clare City Assessor
V&V Assessing LLC
1225 Holiday Lane
Portage MI 49024

DEPARTMENT OF PUBLIC WORKS

Ph 989.386.2182 or
989.386.7541 x202
Fx 989.386.4508

Dear Mr. VanderVries:

Please accept this letter as notification that the City of Clare intends to establish a Commercial Rehabilitation District (CRD) under the provisions of PA 210 of 2005, as amended, of the Public Acts of the State of Michigan. In addition, we are notifying you that the City of Clare has received an application for a Commercial Rehabilitation Exemption Certificate (CREC) from Ideal Theater Clare LLC, 607-609 N. McEwan St., Clare, Michigan, for abatement of property tax in accordance with the provisions of PA 210 of 2005, as amended.

UTILITY BILLING

Ph 989.386.7541 x201

W/WWT PLANT
Ph 989.386.2321
Fx 989.386.2387

POLICE DEPT.
NON-EMERGENCY

Ph 989.386.2121
Fx 989.386.0440

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NON-EMERGENCY
Ph 989.386.2151
Fx 989.386.3020

PARKS &
RECREATION
Ph 989.386.7541 x213
Fx 989.386.4508

AIRPORT
Ph 989.386.0445
Fx 989.386.4508

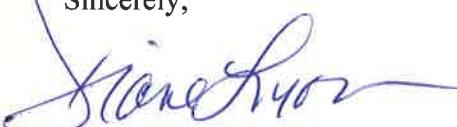
The Clare City Commission will hold a public hearing regarding the establishment of the CRD at its regularly scheduled meeting on Tuesday, July 5, 2022, at 6:00 p.m., at Clare City Hall, 202 W. 5th St., Clare, MI, 48617.

Provided the Clare City Commission establishes the Commercial Rehabilitation District at the July 5th meeting, the City Commission will then hold a public hearing to consider the application for the Commercial Rehabilitation Exemption Certificate at its regularly scheduled meeting on Monday, July 18th, 2022, at 6:00 p.m., at Clare City Hall, 202 W. 5th St., Clare, MI, 48617.

A copy of the combined notice detailing the hearings is enclosed for your information. If you wish to submit a statement regarding the above referenced requests, please submit that information to my attention prior to 5:00 p.m. on the date of the hearings.

You may contact me at dlyon@cityofclare.org or (989) 429-4068 if you have questions regarding this matter.

Sincerely,


Diane Lyon
Clare City Clerk

Enclosure(s)



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Fx 989.386.3020

PARKS & RECREATION

Ph 989.386.7541 x213
Fx 989.386.4508

AIRPORT

Ph 989.386.0445
Fx 989.386.4508

I, Diane Lyon, Clerk of the City of Clare, Michigan hereby certify that on June 21, 2022, I mailed notice of the intent to establish a Commercial Rehabilitation District and notice of receipt of an Application for a Commercial Rehabilitation Exemption Certificate from Hotel Doherty, Inc. to the attached listing of taxing entities and property owners:

Ms. Sheila Bissonnette, MLIS
Library Director
Pere Marquette District Library
185 E Fourth Street
Clare, MI 48617

Ms. Lori Mott, Clerk
Clare County
225 W. Main St.
P.O. Box 438
Harrison, MI 48625

Ms. Sheryl Presler, Superintendent
Clare-Gladwin RESD
4041 E. Mansiding Rd.
Clare, MI 48617

Edward VanderVries, Assessor
City of Clare
202 W. 5th St.
Clare, MI 48617

Ms. Tracy Byard
Clare County Administrator
225 W. Main St.
P.O. Box 438
Harrison, MI 48625

Tim Hood
Mid Michigan Community College
1375 South Clare Avenue
Harrison, MI 48625

Mr. Tom Pirnstill, Executive Director
Clare County Transportation Commission
1473 Transportation Drive
Harrison, MI 48625

Mr. James Walter II, Superintendent
Clare Public Schools
201 E. State Street
Clare, MI 48617

Mr. Jim Allen, Chairman
Downtown Development Authority
412 Wilcox Pkwy
Clare, MI 48617

Ms. Nicole F. Frost
Isabella County Administrator
200 North Main Street
Mt. Pleasant, MI 48858

Mr. Rick Collins, Executive Director
Isabella County Transportation Commission
2100 E. Transportation Dr.
Mt. Pleasant, MI 48858

Diane Lyon



CITY OF CLARE

202 West Fifth Street | Clare, Michigan 48617-1490
Office 989.386.7541 | Fax 989.386.4508
www.cityofclare.org

PUBLIC NOTICE

CITY HALL

Ph 989.386.7541
Fx 989.386.4508
www.cityofclare.org
Manager x102
Assessor x103
Clerk x106
Treasurer x107

A PUBLIC HEARING WILL BE HELD FOR THE CONSIDERATION OF THE ESTABLISHMENT OF A COMMERCIAL REHABILITATION DISTRICT UNDER ACT PA 210 OF 2005, AS AMENDED, IN THE CITY OF CLARE, MICHIGAN:

JULY 5, 2022 AT 6:00 P.M.
CLARE CITY HALL
202 W. FIFTH ST.
CLARE, MI 48617

DEPARTMENT OF PUBLIC WORKS

Ph 989.386.2182 or 989.386.7541 x202
Fx 989.386.4508

Notice is hereby given that the City of Clare has submitted a request for the establishment of a Commercial Rehabilitation District. The proposed district is commonly known as the Downtown Development Authority district and the property is identified as:

"the area bounded by First Street, Beech Street, Third Street, Maple Street, Ann Arbor Railroad Right-of-Way, Fifth Street, Beech Street, Seventh Street, Pine Street, Sixth Street, Hemlock Street, Fourth Street, Pine Street and back to First Street of Sections 34 & 35, City of Clare, including all Lots of Blocks 9 & 10, Lots 8, 9, 10, 11, 12, 13 & 14 of Block 14, all Lots of Blocks 15, 16, 19, 20, 21, 22, 23, 27, 28, 32 & 33, 38 & 39, Original Plat of the Village of Clare."

UTILITY BILLING

Ph 989.386.7541 x201

W/WWT PLANT

Ph 989.386.2321
Fx 989.386.2387

POLICE DEPT. NON-EMERGENCY

Ph 989.386.2121
Fx 989.386.0440

FIRE DEPT. NON-EMERGENCY

Ph 989.386.2151
Fx 989.386.3020

PARKS & RECREATION

Ph 989.386.7541 x213
Fx 989.386.4508

AIRPORT

Ph 989.386.0445
Fx 989.386.4508

NOTICE IS FURTHER GIVEN that the Ideal Theater Clare, LLC., 609 N. McEwan St., Clare, MI has submitted a request to the City of Clare for the approval of a Commercial Rehabilitation Exemption Certificate. In compliance with the Commercial Rehabilitation Act, PA 210 of 2005, MCL 207.841 et. Seq., as amended, a public hearing will be held on July 5, 2022, 6:00 p.m., at the Clare City Hall, 202 W. 5th Street, Clare, MI for consideration of the issuance of a Commercial Rehabilitation Exemption Certificate. Each taxing authority, assessor, property owners, and members of the public will be given an opportunity to appear and be heard on the request for the establishment of a Commercial Rehabilitation District.

If you have comments that you wish to submit regarding these proposals, you may present them in writing to the Clare City Clerk, 202 W. 5th St., Clare MI, or via email to dlyon@cityofclare.org no later than 5 pm on the date of the hearing. You may provide verbal comment by phone (989)386-7541, or you may provide comment in person at the public hearing. The City of Clare is an equal opportunity provider and employer.

Diane Lyon
Clare City Clerk



RESOLUTION 2022-062

A RESOLUTION OF THE CLARE CITY COMMISSION ESTABLISHING A COMMERCIAL REHABILITATION DISTRICT UNDER THE PROVISIONS OF MICHIGAN PUBLIC ACT 210 OF 2005 AS AMENDED.

WHEREAS, pursuant to PA 210 of 2005, as amended, the City of Clare has the authority to establish “Commercial Rehabilitation Districts” within the City of Clare at the request of a commercial business enterprise or on its own initiative; and

WHEREAS, the City Commission of the City of Clare on the request of a commercial business enterprise has determined that the establishment of a Commercial Redevelopment District, the boundaries of said District to coincide with the present geographical boundaries of the Clare Downtown Development Authority District, would potentially promote economic development within said District and enable the commercial property owners within said District to rehabilitate aging facilities, thereby offering said commercial property owners an opportunity that does not presently exist within said District boundaries; and

WHEREAS, the City Commission of the City of Clare has determined that the district meets the requirements set forth in Section 3 of PA 210 of 2005, as amended; and

WHEREAS, written notice has been given by certified mail to all owners of real property located within the proposed district as required by section 3(3) of PA 210 of 2005, as amended; and

WHEREAS, on July 5, 2022, a public hearing was held and all residents and taxpayers of the City of Clare were afforded an opportunity to be heard thereon; and

WHEREAS, the Clare City Commission deems it to be in the public interest of the City of Clare to establish the Commercial Rehabilitation District as proposed;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Clare that the following described parcel(s) of land situated in the City of Clare in the County of Clare and State of Michigan, to wit:

Those properties listed in the area commonly known as the Downtown Development Authority district identified as:

“the area bounded by First Street, Beech Street, Third Street, Maple Street, Ann Arbor Railroad Right-of-Way, Fifth Street, Beech Street, Seventh Street, Pine Street, Sixth Street, Hemlock Street, Fourth Street, Pine Street and back to First Street of Sections 34 & 35, City of Clare, including all Lots of Blocks 9 & 10, Lots 8, 9, 10, 11, 12, 13 & 14 of Block 14, all Lots of Blocks 15, 16, 19, 20, 21, 22, 23, 27, 28, 32 & 33, 38 & 39, Original Plat of the Village of Clare”

be and here as established as a Commercial Redevelopment District pursuant to the provisions of PA 210 of 2005, as amended, to be known as the Clare Downtown Commercial Rehabilitation District No.1.

ALL RESOLUTIONS AND PARTS OF RESOLUTIONS INSOFAR AS THEY CONFLICT WITH THE PROVISIONS OF THIS RESOLUTION BE AND THE SAME ARE HEREBY RESCINDED.

The Resolution was introduced by Commissioner _____ and supported by Commissioner _____ . The Resolution declared adopted by the following roll call vote:

YEAS:

NAYS:

ABSENT:

ABSTAIN:

Resolution approved for adoption on this 5th day of July, 2022.

Sarah Schumacher, Deputy City Clerk

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of Clare in County Clare, Michigan at a regular meeting held on July 5, 2022.

Sarah Schumacher, Deputy City Clerk