

**Secs. 26-1-26-30 Reserved**

**ARTICLE II DOWNTOWN DEVELOPMENT AUTHORITY**

**Sec . 26-31 Establishment; duties.**

Pursuant to Public Act No. 197 of 1975 (MCL 125.1651 et seq., MSA 5.310 (1) et seq.), the village establishes a downtown development authority, which shall be established and regulated pursuant to such act. The authority shall analyze the impact of economic changes and growth in the downtown district and develop plan in coordination with the village's planning commission to promote orderly economic growth in the downtown development district. With the advice and consent of the village council, the authority shall implement a development plan in the downtown district as necessary to achieve the purposes of such act and in accordance with the powers granted by such act. (Ord. No. 88 § 1,4-14-1986)

\*State law reference — Establishment of downtown development authority authorized, MCL 125.1652, USA 5.3010 (2).

**Sec. 26-32 Boundaries of the district.**

The Boundary of the Downtown Development Authority (DDA) district shall included all adjacent parcels to the following described street right of ways. The DDA shall exercise its powers only within the right of ways which are described as follows:

**Land within the Street Right of Ways: in the SW 1/4 of Section 25 and the NE1/4 of Section 36, T10N-R16E and the SW 1/4 of Section 30 and the NW 1/4 of Section 31, T10N-R17E Village of Lexington, Sanilac County, Michigan being:**

**MAIN STREET (M-25)**

All land in Main Street, right of way from a point being 570.38 feet north of the north limits of Dennison Street, thence south to a point being 166 feet north of the SE corner of the SE 1/4 of NE 1/4, excepting the east 1/2 of the south 437 feet.

**DENNISON STREET**

All land in Dennison Street right of way commencing from a point 878.5 feet west of the W. right of way of Main Street, East to the west right of way for Main Street, excepting the west 680.50 of the North half.

**JEFFERSON STREET**

All land in Jefferson Street right of way starting at the E right of way of Main Street, Thence East 99 feet

#### WAYNE STREET

All land in ~~S 1/2~~ of Wayne Street. right of way from the east right of way line of Main St. (M-25) east **222 feet, except the north 1/2 of the east 60** 305 feet.

#### SIMONS STREET

All land in Simons St. right of way from 264 feet west of the west right of way line of Main St. (M-25) east to Lake Huron, **except the north 1/2.**

#### HURON STREET (M-90)

All land in Huron Avenue right of way from the **west** east right of way line of Vulcan St. to Lake Huron.

#### BOYNTON STREET

All land in Boynton St. right of way from the **west** east line of Vulcan St. east to Lake Huron, **except the south 1/2 east of Washington Street.**

#### LAKE STREET

All land in the N 1/2 of Lake Street. right of way from a point **858** ~~396~~ feet west of the west right of way line of Main St (M-25 Hwy) east to **the centerline of Washington Street.** ~~a point 192 feet east of the east right of way line of Main St. (M-25 Hwy.)~~. **Also all the land in the S 1/2 of Lake Street. right of way from a point 726 feet west of the west right of way line for Main St (M-25 Hwy) east to a point 89 feet east of the east right of way of Main St. (M-25 Hwy); excepting the east 264 feet of the west 594 feet of the S 1/2 of Lake St. right of way.**

#### HUBBARD STREET

**All land in Hubbard Street right of way from the NW corner of Lot 64 Reuben Simons addition to Lexington, being on the W. side of Main Street (M-25); thence east to a point 164 ft east of the SW corner of lot 6 of R. Hubbard addition to Lexington, being east of Main Street (M-25)**

#### LESTER STREET

**All land in Lester Street right of way from the SW corner of Lot 103 Reuben Simons addition to Lexington, being on the W. side of Main Street; thence east to a point 132 feet, east of the east right of way for Main Street (M-25)**

#### WASHINGTON STREET

All land in Washington St. right of way from the north right of way line of Simons St. to the **north** right of way line of Boynton St. **Also all the land in the W 1/2 of Washington St. right of way from the south**

**right of way line of Boynton St. south to the centerline of Lake St.**  
**That part of the SE 1/4 of Section 25, T10N-R16E, being:**

~~Lots 14 thru 16 and 18 thru 21 and 48 thru 51 of Anson Simons Plat.~~

~~Land beginning at SW corner of lot 51 of Anson Simons plat thence W 300 ft, N 198 ft, E 132 ft, S 66 ft, E 66 ft, N 66 ft, E 132 ft, S 198 ft to point of beginning.~~

~~Land com 577.5 feet north and 33 feet west of southeast corner of Section 25, T10N-R16E, thence west 132 feet north 16.5 feet, west 66 feet, north 165 feet, east 198 feet to the west right of way line of Main St. (N-25 Hwy.), thence south 181.5 feet to Point of Beginning.~~

**That part of NW 1/4 of Section 31 SW 1/4 of Section 30, T10N-R17E, being:**

~~Lots 1 thru 25 and lots 37 thru 40 of Plat of Monrovia.~~

~~Land described as commencing at southwest corner of lot 39, Plat of Monrovia, east 134.8 feet to Point of Beginning thence east 203.08 feet to corner of break wall thence along outer edge of break wall as follows N 30° 50' E 144.37 feet, S 79° 51' E 66.6 feet, N 10° 40' E 53.70 feet to north line of lot 40 west along north line of lot 40 125.79 feet, south along hwy. 23 feet, west along highway 169.70 feet S 21° 54' W 153.04 feet along shore to Point of Beginning together with lake bottom land, if any, lying between and opposite above described parcel and government lot 1.~~

~~Land in alley between lots 13, 14, on the west and lots 37, 38, 39 and 40 on the east of Plat of Monrovia.~~

~~Lots 1, 2 and 15 of R.B. Hubbard & Co. addition to the Village of Lexin~~

**That part of NE 1/4 of Section 36, T10N-R16E, being:**

~~Commencing 116 FT N and 160 FT W of the SE corner of the SE 1/4 of the NE 1/4, Thence N 75 FT, W 160 FT, S 75 FT, E 160 FT to the point of beginning.~~

**Sec. 26-33 (b) Residential properties: This subsection is amended and restated as follows:**

Residential properties within the district of the downtown development authority boundary are subject to the capture of revenues by the downtown development authority. The balance of the ordinance shall remain unchanged and in full force and effect.

Pursuant to P.A. 197 of Public Acts of 1975 a public hearing on the above amendments to the Downtown Development Authority Ordinance was held on October 27, 2003.

**Sec. 26-34 Board membership**

The affairs of the downtown development authority shall be governed by a board consisting of the village president and not less than eight ( 8) or not more than twelve (12) members. Ord. No. 88 § 3, 4-14-1986)

State law reference — Downtown development authority board, MCL 125.1654, MSA 5.3010 (4)

**Sec. 26-35 Officers and meetings**

The board of the downtown development authority shall elect a chairman, vice-chairman, treasurer, and secretary. The board shall prepare bylaws to govern the procedure of meetings and powers of its officers, which shall be submitted to the village council for approval prior to their adoption by the board. (Ord. No. 88 § 4, 4-14-1986)

**Sec. 26-36 Sources of revenue; permitted expenditures**

The activities of the downtown development authority shall be financed from one or more of the funding sources set out in section 11 of Public Act No. 197 of 1975 (MCL 125.1661, MSA 5.3010 (11) and shall expend no money without prior approval of village council. (Ord. No. 88, § 6, 4-14-1986)

**Sec. 26-37 Authority subject to state law**

The downtown development authority shall be controlled and regulated strictly by Public Act No. 197 of 1975 (MCL 125.1651 et seq. MSA 5.3010 et seq.). (Ord. No. 88 §, 6, 4-14-1986)

## **Sec. 26-38 Development plan and tax increment plan**

- a. Pursuant to Public Act No. 197 of 1975 (MCL 125.1651 et seq., MSA 5.310 (1) et seq.), the village adopts a development plan and tax increment plan for the downtown development authority. Such plans are adopted by reference, and such plans are available for inspection during regular business hours at the village clerk's office.
- b. Such development plan and tax increment plan are adopted pursuant to proper public notice and posting consistent with section 18 of Public Act No. 197 of 1975 (MCL 125.1668, MSA 5.3010 (18)). After a public hearing on the development plan and tax increment plan was held on November 10, 1986, pursuant to section 19 of Public Act No. 197 (MCL 125.1669, MSA 5.3010 (19)) and at such hearing the village council determined that:
  1. The plan meets the requirements as set forth in section 17 (2) of Public Act No. 197 of 1975 (CCL 125.1667 (2), MSA 5.3010 (17), (2)).
  2. The proposed method of financing the development is feasible and the authority has the ability to arrange the financing.
  3. The development is reasonable and necessary to carry out the purpose of Public Act No. 197 of 1975 (MCL 125.1651 et seq., MSA 5.3010 et seq.).
  4. The development plan and tax increment plan are in reasonable accord with the master plan of the village.
  5. Public services such as fire and police protection and utilities are or will be adequate to the service project area.

Any amendment to the approved development plan and tax increment plan must be submitted by the downtown development authority to the village council for approval or rejection. (Ord. No. 91, 11-10-1986)