

**CITY OF IMLAY CITY**

**LAPEER COUNTY, MICHIGAN**

**NEIGHBORHOOD IMPROVEMENT AUTHORITY ORDINANCE**

**ORDINANCE NO. 151-20**

**TITLE**

**AN ORDINANCE CREATING A NEIGHBORHOOD IMPROVEMENT  
AUTHORITY FOR THE CITY OF IMLAY CITY, DESIGNATING BOUNDARIES  
OF A NEIGHBORHOOD IMPROVEMENT DISTRICT; TO PROMOTE  
RESIDENTIAL AND ECONOMIC GROWTH IN THE NEIGHBORHOOD  
IMPROVEMENT DISTRICT; TO PROMOTE RESIDENTIAL NEIGHBORHOOD  
IMPROVEMENTS, REPEALING ANY AND ALL ORDINANCES AND  
RESOLUTIONS IN CONFLICT THEREWITH.**

THE CITY COMMISSION OF THE CITY OF IMLAY CITY, LAPEER  
COUNTY, MICHIGAN ORDAINS:

Section 1. Short Title. This ordinance shall be known as the  
“Neighborhood Improvement Authority Ordinance” of the City of Imlay City.

Section 2. Determination of Necessity; Purpose. The City Commission  
hereby determines that it is necessary for and in the best interests of the public  
to create a public body corporate which shall strive to eliminate the causes of  
property value deterioration, promote residential growth increase property tax  
valuation where possible in the neighborhood improvement district of the City,  
and promote economic growth, pursuant to the Recodified Tax Increment  
Finance Act, being Public Act 57 of 2018, as amended (“The Act”).

Section 3. Definitions. The terms used in this ordinance shall have the  
same meaning as given to them in The Act or as set forth below unless the  
context clearly indicates to the contrary. As used in this ordinance:

“Authority” means the City of Imlay City Neighborhood  
Improvement Authority created by this ordinance.

“Act” means the Recodified Tax Increment Finance Act, Public Act  
57 of 2018, as amended.

“Authority Board” or “Board of Directors” means the Board of  
Directors of the Authority, the governing body of the Authority.

“Chief Executive Officer” means the City Manager of the City.

“City” means the City of Imlay City, Michigan.

“City Commission” means the City Commission of the City of Imlay City.

“Neighborhood Improvement District” or “Development Area” means all real property located within the boundaries set forth on Exhibit A incorporated by reference into this ordinance, as now existing or as amended, and within which the Authority may exercise its powers.

Section 4. Creation of Authority. There is hereby created pursuant to The Act a Neighborhood Improvement Authority for the City. The Authority shall be a public body corporate and shall be known and exercise its powers under the title of the “CITY OF IMLAY CITY NEIGHBORHOOD IMPROVEMENT AUTHORITY”. The Authority may adopt a seal, may sue and be sued in any court of this State and shall possess all of the powers necessary to carry out the purposes of its incorporation as provided by this Ordinance and The Act. The enumeration of a power in this ordinance shall not be construed as a limitation upon the general powers of the Authority.

Section 5. Termination. Upon completion of its purposes, the Authority may be dissolved by the City Commission. The property and assets of the Authority, after dissolution and satisfaction of its obligations, shall revert to the City.

Section 6. Description of the Neighborhood Improvement District. The Neighborhood Improvement District shall consist of the territory in the City described in Exhibit A, attached hereto and made a part hereof, subject to changes as may be made pursuant to this ordinance and The Act.

Section 7. Board of Directors. The Authority shall be under the supervision and control of a Board of Directors. The Board shall consist of the Chief Executive Officer and five (5) members. Members shall be appointed by the Chief Executive Officer, subject to approval by the City Commission.

- (a) Not less than a majority of the members shall be persons having an ownership or business interest in property located in the development area. At least one (1) of the members shall be a resident of the development area or of an area within 1/2 mile of any part of the development area.
- (b) Of the members first appointed, an equal number of the members, as near as is practicable, shall be appointed for 1 year, 2 years, 3

years, and 4 years. A member shall hold office until the member's successor is appointed. After the initial appointment, each member shall serve for a term of 4 years.

- (c) An appointment to fill a vacancy shall be made by the Chief Executive Officer of the City of Imlay City for the unexpired term only.
- (d) Members of the Board shall serve without compensation, but shall be reimbursed for actual and necessary expenses.
- (e) The chairperson of the Board shall be elected by the Board.
- (f) Before assuming the duties of office, a member shall qualify by taking and subscribing to the Constitutional oath of office.
- (g) The proceedings and rules of the Board are subject to the Open Meetings Act, MCL 15.261-15.275. The Board shall adopt rules governing its procedure and the holding of regular meetings, subject to the approval of the City Commission. Special meetings may be held if called in the manner provided in the rules of the Board.
- (h) After having been given notice and an opportunity to be heard, a member of the Board may be removed for cause by the City Commission.

Section 8. Powers of the Authority. Except as specifically otherwise provided in this Ordinance, the Authority shall have all powers provided by law subject to the limitations imposed by law and ~~herein~~ this Ordinance.

Section 9. Fiscal Year: Adoption of Budget.

- (a) The fiscal year of the Authority shall coincide with the fiscal year of the City, or such other fiscal year as may be by adopted by the City Commission.
- (b) The Board shall prepare, annually, a budget and shall submit it to the City Commission for approval in the same manner, at the same time, containing all information required of municipal departments of the City. The Board shall not finally adopt a budget for any fiscal year until the budget has been approved by the City Commission. The Commission may, however, temporarily adopt a

budget in connection with the operation of any improvements which have been financed by revenue bonds where required to do so by the ordinance authorizing the revenue bonds.

- (c) The Authority shall submit financial reports to the City Commission at the same time and on the same basis as departments of the City are required to submit reports. The Authority shall be audited annually by the same independent auditors auditing the City and copies of the audit report shall be filed with the City Commission.

Section 10. Section Headings: Severability: Repealer. Section headings are provided for convenience only and are not intended to be a part of this Ordinance. If any portion of this ordinance shall be held to be unlawful, the remaining portions shall remain in full force and effect. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 11. Publication, Recording and Filing. This Ordinance shall be published once after its adoption in full in the Tri-City Times, a newspaper of general circulation in the City of Imlay City and the City Clerk shall file a certified copy of the Ordinance with the Michigan Secretary of State promptly after its adoption.

Section 12. Effective Date. This ordinance shall take effect immediately upon publication.

## **CERTIFICATE OF MAYOR AND CITY CLERK**

We hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the City Commission of the City of Imlay City, Lapeer County, Michigan, at a meeting held on the 16<sup>th</sup> day of December, 2025.

We hereby further certify that the following City Commission Members were present at the meeting: Mayor Barbara Yockey, Mayor Pro Tem Bob Tanis, Commissioner Tom Blount, Commissioner Stu Davis, Commissioner Joe DeLuca, Commissioner Al Ramirez, Commissioner Luke Stempien

We further certify that Commissioner Davis moved for the adoption of the Ordinance, and that motion was supported by Commissioner Tanis.

We further certify that the following City Commission Members voted for the adoption of the Ordinance:

### **ROLL CALL VOTE**

Ayes: Davis, Tanis, DeLuca, Stempien, Blount, Yockey

Nays: Ramirez

Absent: None

### **MOTION CARRIED**



Barbara L. Yockey, Mayor  
City of Imlay City



Dawn E. Sawicki-Franz, Clerk/Treasurer  
City of Imlay City

First Reading: 12/02/2025

Second Reading: 12/16/2025

Date of Publication: 12/23/2025

## Exhibit A

### Legal and Map



## R.A. DUTHLER LAND SURVEYORS

158 East Third Street • Suite 2A • P.O. Box 67 • Imlay City, MI 48444  
9028 Championship Drive • Davison, MI 48423

Client: City of Imlay City  
Date: March 12, 2025  
Job #250303\_Legal

### LEGAL DESCRIPTION FOR IMLAY CITY NEIGHBORHOOD IMPROVEMENT DISTRICT INCLUDING PROPOSED 425 AND LESS THE DDA DISTRICT

Land located in part of Sections 17, 18, 19, 20, 28, 29, and 30, Town 7 North, Range 12 East, City of Imlay City and Imlay Township, Lapeer County, State of Michigan is described as: Commencing at the intersection of the centerline of Cedar Street (State Trunkline 53) and the centerline of Borland Road; thence N.85°14'26"E., along the centerline of Borland Road to the East 1/4 Corner of said Section 20 as marked with a 1/2" bar that is 10.26 feet Northeast of a 1" galvanized pipe; thence S.02°10'17"E., 2653.31 feet along the East line of said Section 20 and the centerline of Reek Road to the Southeast 1/4 of said Section 20 and the Northwest Corner of said Section 28, said point is marked with a 1/2" bar in a monument box at the intersection of Newark and Reek Roads; thence entering said Section 28, N.85°29'38"E., 33.02 feet along the North line of said Section 28 and the centerline of Newark Road to the East line of Reek Road (66 feet wide); thence S.02°27'41"E., 700.00 feet along the East line of Reek Road to the North line of the former Rubber Enterprises Factory Property; thence N.85°29'38"E., 981.09 feet parallel to the North line of said Section 28; thence S.02°21'22"E., 1217.37 feet along the east line of said factory property to the North Right of Way line of Interstate 69; thence along said North line of I-69, 792.92 feet along the arc of a non-tangent curve concave to the South having a radius of 11747.16 feet, a central of angle of 03°52'03", and a chord bearing and distance of S.84°21'24"W., 792.77 feet; thence continuing along said North line of I-69, N.72°02'59"W., 234.40 feet to a point on the West line of said Section 28 and the East line of said Section 29, (*said point is N.02°27'41"W., 795.77 feet from the East 1/4 Corner of said Section 29 that is marked with an iron rod with cap #41101 that is 12.82 feet East-Northeast from a carriage bolt at a fence intersection*); thence entering said Section 29 and continuing N.72°02'59"W., 275.35 feet along the north line of I-69; thence N.58°19'43"W., 244.11 feet; thence N.02°03'33"W., 220.66 feet; thence S.87°56'59"W., 645.04 feet along the north line of the I-69 West bound off ramp to State Trunkline 53 to a concrete right of way monument lying 1 foot north of a right of way fence; thence N.47°03'01"W., 178.19 feet to a concrete right of way monument lying 1 foot east of a fence corner; thence crossing State Trunkline 53, Due West, 230.98 feet to a point on the West line of State Trunkline 53 and on the East line of a survey recorded in Liber 7, Page 69 of the Lapeer County Records; thence along said survey line and the Northerly and Easterly line of I-69 the following 5 courses; 1) S.00°48'34"W., 258.12 feet; 2) S.14°04'06"W., 343.28 feet; 3) S.40°45'29"W., 343.17 feet; 4) S.59°39'18"W., 143.93 feet; 5) S.81°28'57"W., 723.90 feet to a point on the North-South 1/4 line of said Section 29, (*said point is N.02°20'30"W., 516.82 feet along the North-South 1/4 line from the Center Post of said Section 29 that is marked with a*

carriage bolt 0.5 feet south of a right of way fence for I-69 at the North end of Fairgrounds Road lying South of I-69); thence S.81°29'01"W., 1330.34 feet along the North Right of Way line of I-69 to the West 1/16<sup>th</sup> line of said Section 29, said point is the Southwest Corner of Maple Grove Communities Trailer Park; thence N.02°20'36"W., 888.76 feet along said West 1/16<sup>th</sup> line and the West line of said Trailer Park to the South line of the Northwest 1/4 of the Northwest 1/4 of said Section 29; thence along said South line, S.85°04'47"W., 1323.99 feet to a point on the West line of said Section 29, the East line of said Section 30, and the centerline of Blacks Corners Road, said point is S.02°20'42"E., 1324.01 feet South of the Northwest Corner of said Section 29 and said point is the Northeast Corner of the South 1/2 of the Northeast 1/4 of Section 30; thence along said East line and the centerline of Blacks Corners Road, S.02°20'42"E., 42.02 feet; thence S.87°39'18"W., 50.00 feet perpendicular to the East line of said Section 30; thence S.02°20'42"E., 500.00 feet; thence S.87°39'18"W., 30.00 feet perpendicular to and 80 feet west of the East Section line; thence S.02°20'42"E., 120.00 feet to a point on the West 80 foot right of way line of Blacks Corners Road, said point is marked with a concrete monument; thence S.87°39'18"W., 30.00 feet to a point on the 110 foot right of way line of Blacks Corners Road, said point is marked with a concrete right of way monument; thence along said 110 foot right of way line, S.02°20'42"E., 242.18 feet parallel with the East line of said Section 30 to a point on the North right of way line of the I-69 freeway; thence along said North right of way line, S.81°28'09"W., 2551.20 feet to point on the North-South 1/4 line that is N.02°22'00"W., 58.17 feet from the Center Post of said Section 30; thence continuing S.81°28'09"W., 584.88 feet to a found concrete right of way monument, said monument is 4.50 feet South of the East-West 1/4 line of said Section 30; thence continuing along said right of way line, N.08°31'51"W., 149.97 feet to a found concrete right of way monument; thence continuing along said right of way line, S.81°29'04"W., 125.32 feet to a found concrete right of way monument; thence 617.95 feet along a curve to the right, concave to the North, having a radius of 7221.47 feet, a central angle of 04°54'10", whose chord bears S.83°56'09"W., 617.76 feet to a found concrete monument; thence continuing along said right of way line, S.03°37'26"E., 150.00 feet; thence 57.30 feet along a non-tangent curve to the right having a radius of 7371.44 feet, a central angle of 00°26'43", whose chord bears S.86°36'35"W., 57.30 to a point marked with a concrete monument; thence along the North line of I-69, S.86°49'56"W., 431.02 feet to a point on the East line of the former P.O. & N. Railroad (50 feet wide), said point is marked with a concrete right of way monument; thence along said railroad right of way line, N.30°52'33"E., 3236.40 feet to a point on the North line of said Section 30 and the centerline of Newark Road; thence N.87°45'07"E., 49.52 feet along the North line of said Section 30 and the centerline of Newark Road to the North 1/4 Corner of said Section 30, said point is marked with a 1/2" iron rod in a monument box; thence continuing along said North line and the centerline of Blacks Corners Road, N.87°40'05"E., 2647.40 feet to the Northeast Corner of said Section 30 and the Southwest Corner of said Section 20, said point is marked with a monument box; thence along the west line of said Section 20 and the centerline of Blacks Corners Road, N.02°02'32"W., 2641.68 feet to the West 1/4 Corner of said Section 20, said point is marked with a pipe in a monument box in the centerline of Blacks Corners Road and on the south line of Borland Road; thence continuing along the West line of said Section 20 and the centerline of Blacks Corners Road, N.02°18'01"W., 1690.60 feet to a point on the south line of the Imlay City Schools West Athletic Complex located in the Northeast 1/4 of said Section 19; thence along said south line the following 3 courses, 1) S.87°41'59"W., 173.57 feet to a concrete monument; 2) S.30°51'20"W., 142.03 feet parallel with the north line of the Former Pontiac, Oxford, and Northern Railroad as shown on Val Map #V14/9 to a concrete monument; 3) S.87°38'48"W., 2398.40 feet to concrete monument on the North-South 1/4 line of said Section 19; thence N.02°08'26"W., 1078.76 feet to a concrete monument at the North 1/4 Corner of said Section 19; thence along the North line of said Section 19, N.87°38'48"E., 1323.33 feet to an iron rod on the West line of the East 1/2 of the Southeast 1/4 of said Section 18; thence entering Section 18 along said West line, N.02°36'39"W., 1321.35 feet to an iron rod with cap #18986 43.5 feet south of a power pole on the South

1/16<sup>th</sup> line of said Section 18; thence along said south line, N.87°32'43"E., 1026.21 feet to a bent iron rod; thence S.02°41'20"E., 295.20 feet parallel to the East line of said Section 18 to an iron rod with cap #18986; thence N.87°32'43"E., 295.20 feet parallel to the South 1/16<sup>th</sup> line of said Section 18 to the East line of said Section 18 and the centerline of Blacks Corners Road; thence along said East line, N.02°41'20"W., 993.93 feet to a line established in a Warranty Deed recorded in Liber 3351, Page 3, Lapeer County Records, said point is on the south line of Lyons Park; thence along said Deed line and said South Park line, S.87°10'40"W., 314.17 feet to an iron rod with cap #47200; thence S.34°27'05"W., 388.94 feet along a line as Deeded and Taxed to an iron rod with cap #47200; thence S.02°41'20"E., 54.04 feet parallel with the East line of said Section 18 to the North right of way line of the CN Railroad as fenced to an iron rod with cap #47200; thence along said North line, N.82°46'59"W., 223.82 feet to a found iron rod on the East line of a Survey recorded in Liber S17, Page 587, Lapeer County Records; thence along said East line, N.02°41'20"W., 698.25 feet parallel with the East line of said Section 18 to an iron rod; thence N.87°26'48"E., 331.73 feet (Due East record) parallel with the East-West 1/4 line of said Section 18 to an iron rod; thence N.02°41'20"W., 254.75 feet parallel with the East line of said Section 18 to the East-West 1/4 line of said Section 18; thence along said East-West 1/4 line and the centerline of Attica Road, N.87°26'48"E., 437.75 feet to the East 1/4 Corner of said Section 18 and the West 1/4 Corner of said Section 17, said point is marked with a capped iron rod in a monument box; thence along the West line of said Section 17 and the centerline of Blacks Corners Road, N.02°16'50"W., 1316.48 feet to a point on the south line of a survey by R.A. Duthler #200917; thence along said South Survey line, N.85°17'03"E., 636.60 feet to the Northwest Corner of Townsend Manor Apartments Property; thence continuing along the North line of Townsend Manor Apartments Property, to the west side of the entrance to Townsend Manor Apartments; thence North along the West line of Townsend Manor Apartments entrance to the South line of old M-21 Imlay City Road; thence southeasterly along said south line to the East side of the entrance to Townsend Manor Apartment Property; thence southerly along the East line of said Apartment Property to its intersection with the North 1/16<sup>th</sup> line of the Northwest 1/4 of Section 17; thence Easterly along said 1/16<sup>th</sup> line to the South line of Westwood Subdivision as recorded in Liber 2, Page 2 of the Lapeer County Plats; thence along the South line of said Subdivision to the Southeast Corner of said Subdivision, said corner has a power pole on it; thence N.84°46'38"E., 491.72 feet to an iron rod with cap #47200; thence N.84°56'49"E., 435.50 feet to a point on the North-South 1/4 line of said Section 17 and on the centerline of Fairgrounds Road; thence Southerly along said 1/4 line as used in previous surveys to a 1/2" bar in a monument box at the intersection of the centerline of Old M-21 and Fairgrounds Road, said 1/2" bar is 3.62 feet West of the true North-South 1/4 line; thence East Southeasterly to the intersection of the centerline of Old M-21 and the centerline of Main Street; thence Southerly along the centerline of Main Street to its intersection with the North line extension of Palmer's Second Addition to the Original Plat of Imlay City; thence East along said North Plat line and its extension to its intersection with the centerline of Cedar Street (State Trunkline 53); thence South Southwesterly along the centerline of Cedar Street to the intersection with the North line of Palmer's First Addition to the City of Imlay City extended; thence Westerly along said North Plat line to a point that is 5 feet west of the Northeast Corner of Lot 7 of said Plat; thence southerly parallel to the East line of said Lot 7, 200 feet more or less; thence Easterly to a point that is 3 feet more or less easterly of the East line of Lot 8 of said Plat; thence Southerly to the centerline of Fifth Street; thence Westerly along the centerline of Fifth Street to the intersection with the centerline of a 20 foot wide alley between Cedar Street and White Street; thence Southerly along said Alley centerline to the intersection with the centerline of Fourth Street; thence Westerly along the centerline of Fourth Street to the intersection with the centerline of Almont Avenue; thence Northerly along the centerline of Almont Avenue to the intersection with the North line of Lot 8, Block 4 of "E. & L. Calkin's Subdivision" as recorded in Liber 9 of Deeds, Page 257 of the Lapeer County Records if extended; thence Westerly along the North line of said



Lot 8 to the intersection with the centerline of the 20 foot wide alley West of Lots 8, 9, and 10 of said Block 4 of said Plat; thence Southerly along the centerline of said alley to the intersection with the centerline of Fourth Street; thence Westerly along the centerline of Fourth Street to the intersection with the centerline of Calkins Street; thence Southerly along the centerline of Calkins Street to the intersection with the centerline of Third Street; thence Easterly along the centerline of Third Street to the intersection with the 20 foot alley on the West side of Lots 8, 9, and 10, Block 1 of said "E. & L. Calkin's Subdivision"; thence Southerly along said centerline of alley and its extension to a point on the South Right of way line of the Grand Trunk Western Railroad, AKA Canadian National Railroad, (99 feet wide); thence West Northwesterly along said right of way line and the North line of the Railroad Block of the "Plat of Hunt's Addition" to the Northwest Corner of Lot 4 of the Railroad Block of said "Hunt's Addition"; thence Southerly along the West line of said Lot 4 to a point on the centerline of Second Street; thence Easterly along the centerline of Second Street to the intersection with the centerline of Almont Avenue; thence Southerly along the centerline of Almont Avenue to the South 1/4 Corner of said Section 17 as marked with a MAG nail and washer; thence N.84°56'14"E., along the South line of Section 17 and the centerline of First Street to the intersection with the centerline of Cedar Street (State Trunkline 53); thence entering Section 20, Southerly along said centerline of Cedar Street to the East-West 1/4 line of said Section 20 and the Point of Beginning.



Richard Duthler P.S. #47200



