

Secretary of State of Michigan

FILED
 RICHARD H. SOUTHERLAND, SECRETARY
 STATE OF MICHIGAN

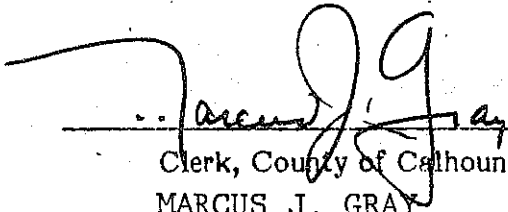
CERTIFICATE

MAY 21 1978

AM.

7:18, 10, 11, 12, 1, 2, 3, 4, 5, 6 PM

I, MARCUS J. GRAY, hereby certify that I am the County Clerk for the County of Calhoun, Michigan; that attached hereto is a true and complete copy of the original typewritten and executed Articles of Incorporation of the Albion Building Authority, a public corporation incorporated under the provisions of Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended, which Articles of Incorporation were filed in duplicate with me on May 19, 1978; that I did cause one printed copy of such Articles of Incorporation to be filed with both the Secretary of State for the State of Michigan and in my office, with a copy of this certificate to each such copy; and that I did retain on file in my office one duplicate original typewritten and executed copy of said Articles of Incorporation and did cause the second such copy to be filed with Lee Davis, Secretary and Recording Officer of the Albion Building Authority.


 Clerk, County of Calhoun
 MARCUS J. GRAY

Dated: May 19, 1978

FILED
 RICHARD H. SOUTHERLAND, SECRETARY
 STATE OF MICHIGAN

DEPUTY CLERK
 KIMBERLY A. HINKLEY, COUNTY CLERK & REGISTER OF DEEDS
 this day of _____ 1978
 Signed and sealed at Marshall, Michigan
 in said County.
 The foregoing is a true and correct copy of a document on file
 in said County.
 6:51 PM MAY 21 1978
 COUNTY OF CALHOUN } ss
 I, KIMBERLY A. HINKLEY, Clerk and
 Register of Deeds of the County of
 Calhoun do hereby CERTIFY that

FILED: May 19, 1978

Secretary of State of Michigan

City of Albion
County of Calhoun, Michigan

Minutes of a special meeting of the City Council of the City of Albion, County of Calhoun, Michigan, held in the City Hall in said City on the 17th day of May, 1978, at 12:30 o'clock p.m., Eastern Daylight Time.

PRESENT: Councilmen Charles Jones, Frances Costianes, Jack McClure
Maxwell Siefert

ABSENT: Councilmen James Cascarelli, Ronald Gant, Robert Thomas

The following preamble and resolution were offered by Councilman

Siefert and supported by Councilman Costianes:

WHEREAS, the City Council of the City of Albion, County of Calhoun, Michigan, deems it advisable and necessary to provide for the acquisition and construction of certain public buildings, parking lots or structures, recreational facilities, and the necessary site or sites therefor for the use of the City; and

WHEREAS, the City Council deems it advisable and necessary and in the best interest of the City to create and establish an Authority under the provisions of Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended, for the purpose of accomplishing the aforesaid purpose; and

WHEREAS, Articles of Incorporation of such an Authority under said Act have been prepared and carefully reviewed by the City Council.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The attached Articles of Incorporation of the Albion Building Authority are hereby approved and adopted.

2. The Mayor and City Clerk are hereby authorized and directed to execute said Articles of Incorporation for and on behalf of the City.

3. The executed Articles of Incorporation shall be delivered to the City Clerk, who shall take such steps as are necessary under the provisions of State law to perfect the incorporation of the Authority.

AYES: Councilmen Charles Jones, Frances Costianos, Jack J. Clure,
Maxwell Siefert

NAYS: Councilmen None

RESOLUTION DECLARED ADOPTED.

Willard P. Coleman
City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Albion, County of Calhoun, State of Michigan, at a special meeting held on May 17, 1978, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976.

Willard P. Coleman
City Clerk

STATE OF MICHIGAN }
COUNTY OF CALHOUN } SS.

I, MARCUS J. GRAY, Clerk, of the
County Of Calhoun do hereby
CERTIFY that the foregoing is a

true and correct copy of the original thereof on file in said County.

Signed and sealed at Marshall, Michigan

this 19th day of May, 19 78
MARCUS J. GRAY, COUNTY CLERK

BY Sumner J. Smith DEPUTY CLERK

ARTICLES OF INCORPORATION
OF
ALBION BUILDING AUTHORITY

These Articles of Incorporation are adopted, signed and acknowledged by the incorporating unit for the purpose of forming a nonprofit municipal Building Authority under the provisions of Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended, the Articles being as follows:

ARTICLE I

The name of this corporation and authority is the ALBION BUILDING AUTHORITY.

ARTICLE II

The incorporating unit is the City of Albion, located in Calhoun County, Michigan, a municipal corporation of the State of Michigan.

ARTICLE III

This authority is incorporated for the purpose of acquiring, furnishing, equipping, owning, improving, enlarging, operating and maintaining a building or buildings, automobile parking lots or structures, recreational facilities, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for use for any legitimate public purpose of the City of Albion.

ARTICLE IV

POWERS AND DUTIES:

Section 1. The Authority shall be a body corporate with power to sue and be sued in any court of the State of Michigan.

Section 2. The Authority and the incorporating unit shall have the power to enter into a contract or contracts whereby the Authority will acquire property necessary to accomplish the purposes of this incorporation and

contemplated by the terms of the enabling act and lease said property to the incorporating unit for a period of not to exceed fifty (50) years, which contracts may be either a full faith and credit general obligation of the incorporating unit or shall not be a full faith and credit general obligation of the incorporating unit. The contract with the incorporating unit may also provide that the incorporating unit shall pay all costs and expenses of operation and maintenance of the property and the operating expenses of the Authority, including expenses incidental to the issuance and payment of bonds, and such contract may provide that the obligation of the incorporating unit thereunder for the payment of any rental required thereby shall not be subject to any setoff by the incorporating unit or any abatement of cash rentals for any cause, including but not limited to casualty that results in the property being untenable. The incorporating unit shall have such rights to sublet or assign property leased from the Authority as provided in the aforesaid Act 31, as now or hereafter amended.

Section 3. For the purpose of accomplishing the objects of its incorporation, the Authority may acquire property by purchase, construction, lease, gift, devise or condemnation, and for the purpose of condemnation, it may proceed under the provisions of Act No. 149 of the Public Acts of 1911, as amended, or any other appropriate statute.

Section 4. For the purpose of defraying all or part of the cost of acquiring, improving, and enlarging any building or buildings, automobile parking lots or structures, recreational facilities and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, and furnishing and equipping the same the Authority, (a) after execution and delivery of a full faith and credit general obligation contract of lease, as provided in Act 31 of the Public Acts of Michigan (Extra Session) 1948, as amended, may by ordinance or resolution duly adopted by a majority vote of the elected members of the Commission of the Authority issue its negotiable bonds in anticipation of the contract obligations of the incorporating unit to make cash rental payments to the Authority and may pledge the receipts from such payments

for payment of said bonds and the interest thereon; (b) after execution of a contract of lease which is not a full faith and credit general obligation of the incorporating unit as provided in Act 31 of the Public Acts of Michigan (Extra Session) 1948, as amended, may by ordinance or resolution duly adopted by a majority vote of the elected members of the Commission of the Authority issue its negotiable bonds in anticipation of the contract obligations of the incorporating unit to make cash rental payments to the Authority and may pledge the receipts from such payments for payment of said bonds and the interest thereon; in both cases as provided by and subject to and in accordance with Act 31 of the Public Acts of Michigan (Extra Session) 1948, as amended. Bonds shall not be issued unless the property has been leased by the Authority to the incorporating unit for a period extending beyond the last maturity of the bonds and no maturity shall in any event be more than forty (40) years from the date of the bonds. In addition, the Authority shall have the power to issue such other bonds as it may be authorized to issue under the general laws of the State of Michigan said bonds to be issued in accordance with and subject to the provisions of such other laws. No bonds of the Authority shall be delivered to the purchasers thereof in any event until such time as all rights of referendum with respect to said bonds or any contract between the Authority and the incorporating unit shall have expired without a referendum petition being filed or, if a referendum petition is filed with respect thereto, until after an election approving said contract or the issuance of the bonds as may be required by law shall have been held and the same approved by a majority vote of the electors of the incorporating unit voting thereon.

Section 5. When all bonds issued pursuant to the provisions of the enabling Act under which the Authority is incorporated shall have been retired, the Authority shall convey title to the property acquired hereunder to the incorporating ~~unit~~^{unit} in accordance with directions of the governing body of the incorporating unit or any agreement adopted by the governing body of the incorporating unit.

Section 6. All property owned by the Authority shall be exempt from taxation by the State or any taxing unit therein.

Section 7. The Authority shall possess all the powers necessary to carry out the purpose of its incorporation, including the incidental powers necessary thereto. The powers herein granted shall be in addition to those granted by any statute or charter, and the enumeration of any power either in these Articles of Incorporation or in the enabling Act, shall not be construed as a limitation upon such general powers.

Section 8. The term of this corporation and Authority shall be perpetual, or until terminated in accordance with law and in any event shall not be less than or terminated prior to the time that all bonds or other obligations of the Authority are paid in full.

ARTICLE V

GOVERNING BODY OFFICERS:

Section 1. The Authority shall be directed and governed by a Board of Commissioners of three (3) members known as the "Commission", each to be elected by the City Council of the City of Albion. No member of the legislative body of the incorporating unit shall be eligible for membership or appointment to this Authority.

Section 2. The terms of the three (3) Commissioners constituting the first Commission shall be for a term of years as follows: one Commissioner for a term ending on June 30, 1981, one Commissioner for a term ending on June 30, 1980, and one Commissioner for a term ending on June 30, 1979, respectively. Thereafter, succeeding Commissioners shall serve for three-year terms.

Section 3. The Commission shall designate one of its members as Chairman, one of its members as Secretary, and a Treasurer who need not be a member of the Commission, each to be designated for such term in office as may be fixed by the bylaws.

Section 4. The Commission shall adopt and may amend bylaws and rules of procedure consonant with the provisions of the enabling act and provide therein for regular meetings of the Commission.

Section 5. The Commission shall adopt a corporate seal.

Section 6. The Chairman shall preside at meetings of the Commission and may sign and execute all authorized bonds, contracts, checks and other obligations and execute interest coupons with his facsimile signature in the name of the Authority when so authorized by the Commission. He shall do and perform such other duties as may be fixed by the bylaws and from time to time assigned to him by the Commission.

Section 7. The Secretary shall keep the minutes of all meetings of the Commission, and of all committees thereof, in books provided for that purpose. He shall attend to the giving, serving and receiving of all notices or process of or against the Authority. He may sign with the Chairman in the name of the Authority all bonds, contracts and other obligations authorized by the Commission, and when so ordered, he shall affix the seal of the Authority thereto. He shall have charge of all books and records which shall at all reasonable times be open to inspection and examination of the Commission or any member thereof, and, in general, perform all the duties incident to his office. The Secretary shall preside at meetings of the Commission in the absence of the Chairman.

Section 8. The Treasurer shall have custody of all the funds and securities of the Authority which may come into his hands or possession. When necessary or proper, he shall endorse in behalf of the Authority for collection, checks, notes, and other obligations, and shall deposit them to the credit of the Authority in a designated bank or depository. He shall sign all receipts and vouchers for payment made to the Authority. He shall jointly with such other officer as may be designated by the Commission sign all checks, promissory notes and other obligations of the Authority when so ordered by the Commission. He shall render a statement of his cash accounts when required by the Commission. He shall enter regularly in the books of the Authority to be kept by him for the purpose full and accurate accounts of all moneys received and paid by him on account of the Authority, and shall, at all reasonable times, exhibit his books and accounts to the Commission or any member thereof when so required. He shall perform all acts incidental to the position of Treasurer fixed by the bylaws and as

assigned to him from time to time by the Commission. He shall be bonded for the faithful discharge of his duties as Treasurer, the bond to be of such character, form and in such amount as the Commission may require.

Section 9. Annual compensation, if any, for the members of the Commission shall be fixed by the Commission when approved by a majority of the City Council of the City of Albion. No Commissioner who holds any paid public office or public employment shall receive any salary as such Commissioner.

Section 10. Vacancies occurring in the office of the Commission shall be filled by the City Council of the City of Albion for the unexpired term.

Section 11. A Commissioner may be removed from office for cause by an affirmative majority vote of the City Council of the City of Albion.

Section 12. The books and records of the Authority and of the Commission, officers and agents thereof shall be open to inspection and audit by the City of Albion at all reasonable times. The Authority shall submit an annual report to the City of Albion.

ARTICLE VI

The City Clerk of the City of Albion shall cause a copy of these Articles of Incorporation to be published once in the Albion Evening Recorder, being a newspaper circulated within the City of Albion, as provided in the enabling Act, such publication to be accompanied by a notice that valid incorporation of the Authority shall be conclusively presumed unless questioned in a court of competent jurisdiction as provided in Act 31 of the Public Acts of Michigan (Extra Session) 1948, as amended.

ARTICLE VII

AMENDMENTS:

Amendments may be made to these Articles of Incorporation as provided in Section 10 of the aforesaid Act 31.

ARTICLE VIII

REGISTERED OFFICE:

Location of registered office and post office address is:

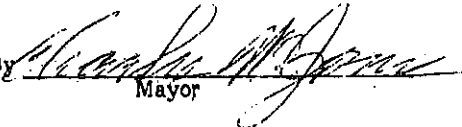
Office of the City Clerk
Albion, Michigan 49224

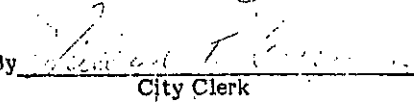
ARTICLE IX

These Articles of Incorporation shall become effective and be in full force and effect ten (10) days after their adoption, as provided in Section 6 of the aforesaid Act 31.

IN WITNESS WHEREOF, the incorporating unit has adopted and authorized to be executed these Articles of Incorporation in behalf of the City of Albion, a municipal corporation of the State of Michigan, by the Mayor and City Clerk of the City of Albion.

CITY OF ALBION

By 
Mayor

By 
City Clerk

(SEAL)

re adopted by the City
at a meeting duly held

John T. Allen
Clerk, City of Albion

Dated: May 17, 1978.

WILLER, CAMFIELD, PADDOCK AND STONE, 2836 CROFT BUILDING, DETROIT, MICHIGAN 48226

FILED

MAY 18 1978

Phyllis G. T.
CALHOUN COUNTY CLERK

STATE OF MICHIGAN }
COUNTY OF CALHOUN } SS

I, MARCUS J. GRAY, Clerk, of the
County Of Calhoun do hereby
CERTIFY that the foregoing is a

true and correct copy of the original thereof on file in said County.

Signed and sealed at Marshall, Michigan

this 19th day of May, 19 78
MARCUS J. GRAY, COUNTY CLERK

BY *Sumner J. Crook* DEPUTY CLERK

~~X~~
MICHIGAN DEPARTMENT OF STATE

RICHARD H. AUSTIN

• SECRETARY OF STATE

MUTUAL BUILDING
208 N. CAPITOL AVE.



LANSING

MICHIGAN 48918

May 24, 1978

FILED

MAY 25 1978

Marcus J. Gray
CALHOUN COUNTY CLERK

Mr. Marcus J. Gray
Calhoun County Clerk
315 West Green St.
Marshall, Mi. 49068

Dear Sir:

This will acknowledge receipt of a certified copy of the Articles of Incorporation of the Albion Building Authority adopted by the City Council on May 17, 1978.

These proceedings were filed in this office under date of May 24, 1978.

We would appreciate receiving an Affidavit of Publication of the Articles to complete our records.

Very truly yours,

RICHARD H. AUSTIN
SECRETARY OF STATE

Opal Tiernan
Opal Tiernan, Supervisor
Registrations and Records Section

MARCUS J. GRAY
Clerk-Register

County Building
Marshall, MI 49068
(616) 781-9811



STEPHEN D. HERIC
Deputy Clerk-Register
DIANE L. BURROWS
Chief Deputy County Clerk
WILLA M. STILES
Chief Deputy Register of Deeds
SUMMER S. BROOKS
Exec. Secretary
ROWENA CASELLA
Sec. Bd. Comrs.

OFFICES OF THE COUNTY CLERK-REGISTER

June 5, 1978

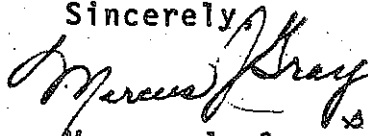
Opal Tiernan, Supervisor
Rwregistrations & Reoords
Secretary of State
Lansing, Michigan 48918

Dear Mrs. Tiernan:

Enclosed are the copies of Affidavit of Publication
for the Albion Building Authority incorporation.

If there is anything further we may obtain for you
please let me know.

Sincerely,


Marcus J. Gray

MJG:dlb

Enc.

State of Michigan

The Probate Court for the County of Calhoun

XXXXXX Resolution No. 5 D-78

File No. _____

STATE OF MICHIGAN)
) ss.
COUNTY OF CALHOUN)

Blair Bedient

Blair Bedient

being duly sworn, says that he is

Publisher

of Albion Evening Recorder

a newspaper published and circulated in said county and otherwise qualified according to Supreme Court Rule; that annexed hereto is a printed copy of a notice which was published in said newspaper on the following date, or dates, to-wit:

May 31, 19 78

, 19

Subscribed and sworn to before me this

A.D. 19 78.

Amount \$ _____

Paid _____, 19

AFFIDAVIT OF PUBLICATION

Page 6 ALBION EVENING RECORDER WEDNESDAY, MAY 31

Official Council Proceedings

OFFICIAL COUNCIL MEETING will continue proceedings necessary to accomplish the purpose of this incorporation and to implement the provisions of the enabling act by the City of Albion, Michigan. Present: Mayor Jones, President of the City Council, and members of the City Council. Absent: Councilmen Charles Jones, Frances Costlanes, Jack McClure, Maxwell Siefert. Motion: A resolution was adopted by the City Council to incorporate the City of Albion, Michigan, under the provisions of Act No. 31 of the Public Acts of 1948, as amended, for the purpose of acquiring, improving, and maintaining the property and the operating expenses of the Authority, including the expenses incidental to the assistance and payment of bonds and such contract may provide that the obligation of the incorporating unit thereunder for the payment of any rental required thereby shall not be subject to any setoff by the incorporating unit or any abatement or cash rentals for any cause, including but not limited to casualty that results in the property leased from the Authority as provided in the Act No. 31, as now or hereafter amended.

SECTION 1. For the purpose of accomplishing the objects of its incorporation, the Authority may acquire property by purchase, construction, lease, gift, devise or condemnation and for the purpose of condemnation it may proceed under the provisions of Act No. 149 of the Public Acts of 1911, as amended in any other appropriate statute.

SECTION 2. For the purpose of defraying all or part of the cost of acquiring, improving, and enlarging any building or buildings, automobile parking lots or structures, recreational facilities and the necessary site or sites therefor, together with all pertinent properties and facilities necessary or convenient for the effective use thereof and furnishing and equipping the same the Authority, (a) after execution and delivery of a contract and (b) after execution and delivery of a contract or lease, as provided in Act No. 31 of the Public Acts of Michigan (Extra Session) 1948, as amended, may by ordinance or resolution duly adopted by a majority vote of the

WHEREAS the City Council deems it advisable and necessary, and in the best interest of the City to create and establish an Authority under the provisions of Act No. 31 of the Public Acts of Michigan (First Extra Session) 1948, as amended, for the purpose of accomplishing the aforesaid purpose; and

WHEREAS Articles of Incorporation of such an Authority under said Act have been prepared and carefully reviewed by the City Council;

NOW, THEREFORE, BE IT RESOLVED THAT
1. The attached Articles of Incorporation of the Albion Building

**AFFIDAVIT OF
PUBLICATION**

RECORDED, WEDNESDAY, MAY 31, 1978

Civil Proceedings

will acquire property necessary to accomplish the purposes of this incorporation and contemplated by the terms of the enabling act and lease said property to the incorporating unit for a period of not to exceed fifty (50) years, which contract may be either a full faith and credit general obligation of the incorporating unit or shall not be a full faith and credit general obligation of the incorporating unit. The contract with the incorporating unit may also provide that the incorporating unit shall pay all costs and expenses of operation and maintenance of the property and the operating expenses of the Authority, including expenses incidental to the issuance and payment of bonds and such contract may provide that the obligation of the incorporating unit thereunder for the payment of any rental required thereby shall not be subject to any setoff by the incorporating unit or any abatement of cash rentals for any cause, including but not limited to casualty that results in the property leased from the Authority as provided in the aforesaid Act 31, as now or hereafter amended.

Section 3. For the purpose of accomplishing the objects of its incorporation, the Authority may acquire property by purchase, construction, lease, gift, devise or condemnation and for the purpose of condemnation, it may be placed under the provisions of Act 160, 149 or the Public Acts of 1911 as amended, or any other appropriate statute.

need not be a member of the Commission, each to be designated by the bylaws.

Section 4. The Commission shall adopt and may amend bylaws and rules of procedure consonant with the provisions of the enabling act and provide therein for regular meetings of the Commission.

Section 5. The Commission shall adopt a corporate seal.

Section 6. The Chairman shall preside at meetings of the Commission and may sign and execute all authorized bonds, contracts, checks and other obligations and execute interest coupons with his facsimile signature in the name of the Authority when so authorized by the Commission. He shall do and perform such other duties as may be fixed by the bylaws and from time to time assigned to him by the Commission.

Section 7. The Secretary shall keep the minutes of all meetings of the Commission, and of all committees thereof, in books provided for that purpose. He shall attend to the giving, serving and receiving of all notices or process of or against the Authority. He may sign with the Chairman in the name of the Authority all bonds, contracts and other obligations authorized by the Commission, and when so ordered, he shall affix the seal of the Authority thereto. He shall have charge of all books and records which shall at all reasonable times be open to inspection and examination of the Commission or any members thereof, and, in general, perform all the duties incident to his office. The Secretary shall preside at meetings of the Commission in the absence of the Chairman.

Section 8. The Treasurer shall have custody of all the funds and securities of the Authority which may come into his hands or possession. When necessary or proper, he shall endorse in behalf of the Authority for collection, checks, notes, and other obligations, and shall deposit them to the credit of the Authority in a designated bank or depository. He shall sign all receipts and vouchers for payment made to the Authority. He shall jointly with such other officer as may be designated by the Commission sign all checks, promissory notes and other obligations of the Authority when so ordered by the Commission. He shall render a statement of his cash, accounts and perform such other duties as may be fixed by the bylaws and from time to time assigned to him by the Commission.

Section 9. Annual compensation, if any, for the members of the Commission shall be fixed by the Commission when approved by a majority of the City Council of the City of Albion. No Commissioner who holds any paid public office or

public employment shall receive any salary as such Commissioner.

Section 10. Vacancies occurring in the office of the Commission shall be filled by the City Council of the City of Albion for the unexpired term.

Section 11. A Commissioner may be removed from office for cause by an affirmative majority vote of the City Council of the City of Albion.

Section 12. The books and records of the Authority and of the Commission, officers and agents thereof shall be open to inspection and audit by the City of Albion at all reasonable times. The Authority shall submit an annual report to the City of Albion.

ARTICLE VI
The City Clerk of the City of Albion shall cause a copy of these Articles of Incorporation to be published once in the Albion Evening Recorder, being a newspaper circulated within the City of Albion, as provided in the enabling Act, such publication to be accompanied by a notice that valid incorporation of the Authority shall be conclusively presumed unless questioned in a court of competent jurisdiction as provided in Act 31 of the Public Acts of Michigan (Extra Session) 1948, as amended.

ARTICLE VII
AMENDMENTS: Amendments may be made to these Articles of Incorporation as provided in Section 10 of the aforesaid Act 31.

ARTICLE VIII
REGISTERED OFFICE: Location of registered office and Office of the City Clerk

Albion, Michigan 49224

These Articles of Incorporation shall become effective and be in full force and effect ten (10) days after their adoption, as provided in Section 6 of the aforesaid Act 31.

IN WITNESS WHEREOF, the incorporating unit has adopted and authorized to be executed these Articles of Incorporation in behalf of the City of Albion, a municipal corporation of the State of Michigan, by the Mayor and City Clerk of the City of Albion.

Millard P. Coleman
City Clerk

Charles W. Jones
Mayor

The foregoing Articles of Incorporation were adopted by the City Council of the City of Albion, County of Calhoun, Michigan, at a meeting duly held on the 17 day of May 1978.

Dated: May 17, 1978.
On roll call the following vote was recorded:
Ayes: Costlanes, McClure, Siefert, Mayor Jones.
Nayes: None.
Absent: Cascarelli, Gant, Thomas.
Motion carried.
Motion by Costlanes, seconded by McClure, the following commissioners be appointed to the Albion Building Authority:
Lee Davis — 3 years
Millard Coleman — 2 years
Jim Kingsley — 1 year
Motion carried.
Millard P. Coleman
City Clerk

Act 31, Public Acts of Michigan, 1948 (First Extra Session,) as amended, for the purpose of accomplishing the aforesaid purpose; and

WHEREAS, Articles of Incorporation of such an Authority under said Act have been prepared and carefully reviewed by the City Council.

NOW, THEREFORE, BE IT RESOLVED THAT

1. The attached Articles of Incorporation of the Albion Building Authority are hereby approved and adopted.

2. The Mayor and City Clerk are hereby authorized and directed to execute said Articles of Incorporation for and on behalf of the City.

3. The executed Articles of Incorporation shall be delivered to the City Clerk, who shall take such steps as are necessary under the provision of State law to perfect the incorporation of the Authority.

Ayes: Councilmen: Charles Jones, Frances Costfanes, Jack McClure, Maxwell Siefert.

Naves: None

RESOLUTION DECLARED ADOPTED.

Millard P. Coleman
City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Albion, County of Calhoun, State of Michigan, at a special meeting held on May 17, 1978, and that public notice of said meeting was given pursuant to and in full compliance with Act. No. 267, Public Acts of Michigan, 1976.

Millard P. Coleman
City Clerk

ARTICLES OF INCORPORATION OF ALBION BUILDING AUTHORITY

These Articles of Incorporation are adopted, signed and acknowledged by the incorporating unit for the purpose of forming a nonprofit municipal Building Authority under the provisions of Act 31, Public Acts of Michigan, 1948, (First Extra Session), as amended, the Articles being as follows:

ARTICLE I

The name of this corporation and authority is the ALBION BUILDING AUTHORITY.

ARTICLE II

The incorporating unit is the City of Albion, located in Calhoun County, Michigan, a municipal corporation of the State of Michigan.

ARTICLE III

This authority is incorporated for the purpose of acquiring, furnishing, equipping, owning, improving, enlarging, operating and maintaining a building or buildings, automobile parking lots or structures, recreational facilities, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for use for any legitimate public purpose of the City of Albion.

ARTICLE IV

POWERS AND DUTIES:

Section 1. The Authority shall be a body corporate with power to sue and be sued in any court of the State of Michigan.

Section 2. The Authority and the incorporating unit shall have the power to enter into a contract or contracts whereby the Authority

facilities and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, and furnishing and equipping the same the Authority, (a) after execution and delivery of a full faith and credit general obligation contract or lease, as provided in Act 31 of the Public Acts of Michigan (Extra Session) 1948, as amended, may by ordinance or resolution duly adopted by a majority vote of the elected members of the Commission of the Authority issue its negotiable bonds in anticipation of the contract obligations of the incorporating unit to make cash rental payments to the Authority and may pledge the receipts from such payments for payment of said bonds and the interest thereon; (b) after execution of a contract of lease which is not a full faith and credit general obligation of the incorporating unit as provided in Act 31 of the Public Acts of Michigan (Extra Session) 1948, as amended, may by ordinance or resolution duly adopted by a majority vote of the elected members of the Commission of the Authority issue its negotiable bonds in anticipation of the contract obligations of the incorporating unit to make cash rental payments to the Authority and may pledge the receipts from such payments for payment of said bonds and the interest thereon; in both cases as provided by and subject to and in accordance with Act 31 of the Public Acts of Michigan (Extra Session) 1948, as amended. Bonds shall not be issued unless the property has been leased by the Authority to the incorporating unit for a period extending beyond the last maturity of the bonds and no maturity shall in any event be more than forty (40) years from the date of the bonds. In addition, the Authority shall have the power to issue such other bonds as it may be authorized to issue under the general laws of the State of Michigan said bonds to be issued in accordance with and subject to the provisions of such other laws. No bonds of the Authority shall be delivered to the purchasers thereof in any event until such time as all rights of referendum with respect to said bonds or any contract between the Authority and the incorporating unit shall have expired without a referendum petition being filed or, if a referendum petition is filed with respect thereto, until after an election approving said contract or the issuance of the bonds as may be required by law shall have been held and the same approved by a majority vote of the electors of the incorporating unit voting thereon.

Section 5. When all bonds issued pursuant to the provisions of the enabling Act under which the Authority is incorporated shall have been retired, the Authority shall convey title to the property acquired hereunder to the incorporating unit in accordance with directions of the governing body of the incorporating unit or any agreement adopted by the governing body of the incorporating unit.

Section 6. All property owned by the Authority shall be exempt from taxation by the State or any taxing unit therein.

Section 7. The Authority shall possess all the powers necessary to carry out the purpose of its in-

State of Michigan

The Probate Court for the County of Calhoun

~~NOTICE~~ Notice

File No. _____

STATE OF MICHIGAN)
COUNTY OF CALHOUN) ss.
Blair Bedient

Blair Bedient

being duly sworn, says that he is

Publisher
of Albion Evening Recorder

a newspaper published and circulated in said
county and otherwise qualified according to
Supreme Court Rule; that annexed hereto is a
printed copy of a notice which was published
in said newspaper on the following date, or
dates, to-wit:

_____ May 22, 19 78
_____, 19 _____

Subscribed and sworn to before me this 22nd day of May,
A.D. 19 78.

Amount \$ 17.10

Paid _____, 19 _____

AFFIDAVIT OF
PUBLICATION

NOTICE OF INCORPORATION OF
ALBION BUILDING AUTHORITY

PLEASE TAKE NOTICE that on May 17, 1978, the
City Council of the City of Albion, County of Calhoun,
Michigan, did pursuant to Act 91, Public Acts of
Michigan, 1949 (First Extra Session), as amended,
adopt Articles of Incorporation of the Albion Building
Authority, as hereinafter set forth. Said Articles will
be filed with the Calhoun County Clerk and the
Michigan Secretary of State, as required by said Act.

SAID ACT GRANTS THE RIGHT TO QUESTION
THE VALIDITY OF SUCH INCORPORATION IN A
COURT OF COMPETENT JURISDICTION WITHIN SIXTY
(60) DAYS AFTER THE LAST OF THE ABOVE FILING
IS ACCOMPLISHED. AFTER SUCH TIME THE IN-
CORPORATION SHALL BE CONCLUSIVELY PRESUMED
TO BE VALID.

Further information including the time of the
above filing may be obtained from the office of the
City of Albion City Clerk.

Millard P. Coleman
City of Albion, City Clerk

Caroline Swyers
Notary Public, Calhoun County, Mich.
My commission expires: March 3, 1982

CAROLINE E. SWYERS
Notary Public, Calhoun County, Mich.
My Comm. Expires March 3, 1982

MICHIGAN DEPARTMENT OF STATE
RICHARD H. AUSTIN SECRETARY OF STATE
GREAT SEAL & REGISTRATION (517) 373-2531



LANSING
MICHIGAN 48918

May 7, 1992

Mr. James P. Bonamy, Clerk
City of Albion
112 West Cass Street
Albion, Michigan 49224

Dear Mr. Bonamy:

This is to advise you that the attached descriptions of property conditionally transferred from Sheridan Township, and from the City of Albion, by Agreements dated November 18, 1992, have been reviewed and verified as accurate.

The properties are:

Brooks Building & Donna Rabakon Properties (from Township to City)
Sarah McKinney/Dorrene Derr (from Township to City)
Section 26 Property (from Township to City)
Clark Street & 27 Mile Road (from City to Township)
Niecko Property (from Township to City)

Proceedings were filed February 28, 1992.

Sincerely,

A handwritten signature in cursive script, reading "Glorietta B. Flakes".

Glorietta B. Flakes, Supervisor
Great Seal and Registration
Department of State

GBF:sw

Attachment

cc: Sheridan Township Clerk
Calhoun County Clerk
Department of Commerce, State Boundary Commission
Department of Commerce, Liquor Commission Control
Department of Management & Budget, Economic Development and
Governmental Affairs
Department of Transportation, Local Services Division
92-19 (Five (5) Property Descriptions)

CITIES

CALHOUN COUNTY

In the matter of the conditional transfer of territory located in Sheridan Township to the City of Albion.

Transferred in accordance with the provisions of Act 425, Public Acts of 1984, the following territory:

Parts of the Northwest 1/4 and the Northeast 1/4 of Section 36 and part of the Southeast 1/4 of Section 25, Town 2 South, Range 4 West, all of Sheridan Township, Calhoun County, Michigan, described as follows:

Beginning at the north 1/4 post of Section 36, Town 2 South, Range 4 West, Sheridan Township, Calhoun County, Michigan, said corner also being the south 1/4 post of Section 25 of Sheridan Township; thence N 00°-50'-31" W along the north and south 1/4 line of said Section 25 a distance of 665.30 feet to the northwest corner of the South 1/2 of the south 1/2 of the southeast 1/4 of said Section 25; thence N 89°-58'-43" E along the north line of said south 1/2 a distance of 2576.08 feet to a point 66 feet west of the east line of said section; thence S 00°-43'-57" E parallel with the east section line 666.79 feet to the south section line; thence S 01°-02'-40" E parallel to and 66 feet westerly of the east line of said section 36 a distance of 2267.16 feet to the centerline of East Michigan Avenue; thence southwesterly along said centerline on a curve to the right 178.36 feet, (radius 4297.28 feet, central angle 2°-22'-41", chord 178.34 feet, chord bearing S 71°-23'-36" W); thence S 72°-34'-56" W along said centerline 354.61 feet; thence N 14°-10'-00" W 500.00 feet; thence S 72°-34'-56" W parallel with the centerline of Michigan Avenue 170.00 feet; thence S 14°-10'-00" E 500.00 feet to said centerline; thence S 72°-34'-56" W along said centerline 309.95 feet; thence southwesterly along said centerline on a curve to the left 250.80 feet, (radius 2022.69 feet, central angle 7°-06'-16", chord 250.64 feet, chord bearing S 69°-01'-48" W) to the east and west 1/4 line of said Section 36; thence S 89°-58'-37" W along said 1/4 line 53.20 feet to the southwest corner of the east 1/2 of the northeast 1/4 of said section; thence S 00°-55'-44" E 24.99 feet to the centerline of East Michigan Avenue (BL I-94); thence southwesterly along said centerline on a curve to the left 277.94 feet, (radius 2022.69 feet, central angle 7°-52'-24", chord 277.73 feet, chord bearing S 59°-53'-12" W); thence S 55°-57'-00" W along said centerline 11.46 feet; thence N 34°-03'-00" W at right angles to said centerline 205.90 feet to the east and west 1/4 line of said section; thence S 89°-58'-37" W along said 1/4 line 300.00 feet to the east line of Lot 51 of the Supervisor's Plat of Section 36 of Sheridan Township as recorded in Liber 9A of plats on page 07 in the Office of the Register of Deeds for Calhoun County, Michigan; thence N 02°-00'-27" W along said east line 221.98 feet to the northeast corner of said lot; thence S 89°-48'-20" W along the north line of said lot 56.50 feet; thence N 00°-48'-48" W parallel with the north and south 1/4 line of said section 368.00 feet; thence S 89°-48'-20" W 450.00 feet; thence S 00°-48'-48" E parallel to said 1/4 line 300.00 feet; thence S 89°-48'-20" W 150.00 feet to said north and south 1/4 line; thence N 00°-48'-48" W along said 1/4 line 402.30 feet to the south line of the former Lakeshore-Michigan Railroad; thence S 61°-00'-00" W along said line 379.00 feet; thence N 00°-48'-48" W parallel with the north and south 1/4 line of said section 117.77 feet to the north line of said railroad right of way; thence S 61°-00'-00" W along said line 1126.10 feet to the west line of the east 1/2 of the northwest 1/4 of said section; thence N 00°-45'-54" W along said line 2586.67 feet to the northwest corner of said east 1/2 of the northwest 1/4; thence S 89°-59'-22" E along the north section line 1324.57 feet to the place of beginning.

Record of proceedings filed in the office of the secretary of state February 28, 1992.

CITIES
CALHOUN COUNTY

In the matter of the conditional transfer of territory located in the City of Albion to the Township of Sheridan.

Transferred in accordance with the provisions of Act 425, Public Acts of 1984, the following territory:

A parcel of land in the Northeast 1/4 of Section 35, Town 2 South, Range 4 West, Sheridan Township, Calhoun County, Michigan, being more specifically described as beginning at the Northeast corner of said Section 35; thence South 00°08'25" East 878.00 feet along the East line of said Section 35 and the center line of 29 Mile Road; thence North 89°31'20" West 173.84 feet parallel with the North line of said Section 35; thence North 00°08'25" West 125.00 feet parallel with the East line of said Section 35; thence North 89°31'20" West 156.16 feet parallel with the North line of said Section 35; thence North 00°08'25" West 423.00 feet parallel with the East line of said Section 35; thence North 89°31'20" West 995.94 feet parallel with the North line of said Section 35 to the East 1/8 line of said Section 35; thence North 00°08'15" West 330.00 feet along the East 1/8 line of said Section 35 to the North line of said section; thence South 89°31'20" East along said north section line 1325.92 feet to the place of beginning.

Parcel No. 2B

Land located in the Township of Sheridan, County of Calhoun, and State of Michigan, described as follows:

A parcel of land in the Northeast 1/4 of Section 35, Town 2 South, Range 4 West, Sheridan Township, Calhoun County, Michigan being more specifically described as commencing at the Northeast corner of said Section 35; thence South 00°08'25" East 944.32 feet along the East line of said Section 35 and the center line of 29 Mile Road for the point of beginning of this description; thence continuing South 00°08'25" East 257.00 feet; thence North 89°27'02" West 330.00 feet; thence North 00°08'25" West 132.00 feet parallel with the East line of said Section 35; thence South 89°27'02" East 76.33 feet parallel with the North 1/8 line of said Section 35; thence North 00°08'25" West 125.00 feet parallel with the East line of said Section 35; thence South 89°27'02" East 253.67 feet parallel with the North 1/8 line of said Section 35 to the point of beginning.

A parcel of land in the Northwest 1/4 of Section 34, Town 2 South, Range 4 West, Sheridan Township, Calhoun County, Michigan described as:

Beginning at the Northwest corner of Section 34, T2S, R4W; thence S 89°26'46" E along the north section line 660 feet; thence S 00°09'20" E parallel to the west section line 1326 feet to the south line of the North 1/2 of the Northwest 1/4 of said section; thence N 89°24'31" W along said line 660 feet to said west section line; thence N 00°09'20" W along said line 1326.34 feet to the place of beginning.

Record of proceedings filed in the office of the secretary of state February 28, 1992.

CITIES
CALHOUN COUNTY

In the matter of the conditional transfer of territory located in Sheridan Township to the City of Albion.

Transferred in accordance with the provisions of Act 425, Public Acts of 1984, the following territory:

A parcel of land located in the Northeast 1/4 of Section 33, Town 2 South, Range 4 West, Sheridan Township, Calhoun County, Michigan, lying South of Old US-12 (Austin Avenue), more particularly described as follows:

Beginning at a point on the South line of Austin Avenue distant North 65°21' West 825.06 feet from the intersection of the South line of said street with the East line of said Section 33; thence South 20°25'30" West 342.2 feet; thence South 89°56'30" West to a point which is South 00°22' East and 578 feet from the South line of Austin Avenue; thence North 00°22' West 578 feet to the South line of said street; thence Southeasterly along the South line of said street 605.72 feet to the place of beginning.

Record of proceedings filed in the office of the secretary of state
February 28, 1992.
