



# Rochester Hills

## Agenda Report

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**File Number: 2007-0495**

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**File Number:** 2007-0495      **File Type:** Exemptions      **Status:** To Council Liaison  
**Version:** 3      **Reference:** N/A      **Controlling Body:** City Council  
Regular Meeting  
**Requester:** Planning/Development      **Cost:**      **Introduced:** 08/10/2007  
**File Name:** Skybird Products, Inc.      **Final Action:**

**Title:** Request to transfer the Industrial Facilities Exemption Certificate #2005-388 for 3098 Research Dr. from BMD Group/E-Motive to Skybird Products.

**Notes:**

**Code Sections:**

**Agenda Date:**

**Indexes:**

**Agenda Number:**

**Sponsors:**

**Enactment Date:**

**Attachments:** Agenda Summary.pdf, Development Agreement.pdf, 090507 Agenda Summary.pdf, Public Hearing Notice.pdf, Application.pdf, Skybird Financial Analysis -Real.pdf, Skybird Financial Analysis-Personal.pdf, Duke Ltr 071707.pdf, Purchase Agreement.pdf, 082207 Agenda Summary.pdf, 082207 Resolution.pdf

**Enactment Number:**

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council Regular Meeting	08/22/2007	Adopted by Resolution				Pass
2	City Council Work Session	09/05/2007	Discussed				

### Text of Legislative File 2007-0495

..Title

Request to transfer the Industrial Facilities Exemption Certificate #2005-388 for 3098 Research Dr. from BMD Group/E-Motive to Skybird Products.

..Body

**Whereas**, Skybird Products, Inc., as owners of certain industrial property in the City of Rochester Hills, Oakland County, Michigan, are located within an Industrial Development District under the "Plant Rehabilitation and Industrial Development Districts Act of 1974," as amended, which was established by the Rochester Hills City Council on July 27, 2005, and

**Whereas**, the Industrial Development District is that property located at 3098 Research Dr., Rochester Hills, Michigan, more particularly described as follows:

A PARCEL OF LAND PART OF LOT 32 OF THE "ROCHESTER HILLS EXECUTIVE PARK" PART OF THE SOUTHEAST ¼ OF SECTION 29 AND THE SOUTHEAST ¼ OF SOUTHEAST ¼ OF SECTION 30, T.3 N., R.11 E., CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN, ACCORDING TO THE PLAT THEREOF RECORDED IN LIBER 199 OF PLATES, PAGES 26,27,28,29 AND 30, OAKLAND COUNTY RECORDS, BEING MORE PARTICULAR DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 32; THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF RESEARCH DRIVE (70 FEET WIDE) THE FOLLOWING TWO (2) COURSES: (1) N 85°57'25" E., 50.00 FEET; AND (2) 105.38 FEET ALONG THE ARC OF A CURVE TO THE LEFT (RADIUS 358.23 FEET, CENTRAL ANGLE 16°51'17" LONG CHORD BEARS N 77°31'46" E., 105.00 FEET); THENCE 51.16 FEET ALONG THE ARC OF A CURVE TO THE RIGHT (RADIUS 212.50 FEET, CENTRAL ANGLE 13° 47'41", LONG CHORD BEARS S 10°56'25" E., 51.04 FEET); THENCE S 04°02'35" E., THENCE S 85°57'25" W., 160.00 FEET ALONG THE SOUTHERLY LINE OF SAID LOT 32 TO A POINT ON THE EASTERLY LINE OF TECHNOLOGY DRIVE (70 FEET WIDE) SAID POINT ALSO BEING THE SOUTHWEST CORNER OF SAID LOT 32; THENCE N 04°02'35" W., 292.85 FEET ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID TECHNOLOGY DRIVE TO THE POINT OF BEGINNING. CONTAINING 47,376 SQUARE FEET OR 1.087 ACRES AND SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

**Whereas**, Industrial Facilities Exemption Certificate #2005-388 for BMD Group/E-Motive was originally approved by the Rochester Hills City Council on July 27, 2005 and went into effect on December 31, 2005, and

**Whereas**, Skybird Products, Inc. has acquired the property at 3098 Research Dr. and applied to the City of Rochester Hills for a transfer of Certificate #2005-388 on August 7, 2007, and

**Whereas**, the Rochester Hills City Council held a Public Hearing regarding this request at its Workshop Meeting of September 5, 2007 in which the applicant, taxing authorities and all interested parties were given the opportunity to be heard, and

**Whereas**, the Rochester Hills City Council has reviewed the application and made the following findings:

- a. The granting of the Industrial Facilities Exemption Certificate, considered together with the aggregate amount of Industrial Facilities Exemption Certificates previously granted and currently in force, does not have the effect of substantially

impeding the operation of the City of Rochester Hills or impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the City of Rochester Hills in which the facility is located.

b. The project is the transfer of existing Industrial Facilities Exemption Certificate #2005-388, originally approved as a speculative building, which also has never been occupied and has existed for less than nine (9) years.

c. Completion of the facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to create employment.

d. Completion of the facility does not constitute merely the addition of machinery and equipment for the purpose of increasing productive capacity, but rather is primarily for the purpose and will primarily have the effect of providing a new speculative facility on industrial property.

e. The construction of the industrial facility meets the objectives of job creation within the established industrial corridor of the City of Rochester Hills.

**Now, Therefore, Be It Resolved,** that pursuant to Section 21, (1) of Act 198 of Public Acts of 1974, as amended, the City Council of the City of Rochester Hills hereby approves the transfer of Industrial Facilities Exemption Certificate #2005-388 for the remaining period of four (4) years for real property only, and

**Be It Further Resolved,** that the accompanying agreement between Skybird Products, Inc. and the City of Rochester Hills is hereby approved and is to be sent to the Department of Treasury and the State Tax Commission along with this resolution, and

**Be It Finally Resolved,** that the Mayor is authorized to sign the agreement after review by the City Attorney's office as to form.