

INFRASTRUCTURE & DEVELOPMENT COMMITTEE

2/25/2008

304 E. Grand River Avenue, Howell, MI

7:30 PM

AGENDA

1. **CALL MEETING TO ORDER**
2. **APPROVAL OF MINUTES**
February 4, 2008
3. **APPROVAL OF AGENDA**
4. **CALL TO THE PUBLIC**
5. **ADMINISTRATION**
 - A. RESOLUTION AUTHORIZING TRANSFER OF LAND TO MARION, HOWELL, OCEOLA AND GENOA SEWER AND WATER AUTHORITY – County Administration / Infrastructure & Development Committee
(SEE RES#05A)
6. **AIRPORT**
 - B. RESOLUTION TO CONCUR WITH THE LIVINGSTON COUNTY AERONAUTICAL FACILITIES BOARD AND ENTER INTO A CONSENT TO MORTGAGE AGREEMENT WITH COMERICA BANK ON BEHALF OF CONSTRUCTION HELICOPTERS, INCORPORATED - Airport / Infrastructure & Development Committee
(SEE RES#06A)

05A RESOLUTION AUTHORIZING TRANSFER OF LAND TO MARION, HOWELL, OCEOLA AND GENOA SEWER AND WATER AUTHORITY - County Administration / Infrastructure & Development Committee

06A RESOLUTION TO CONCUR WITH THE LIVINGSTON COUNTY AERONAUTICAL FACILITIES BOARD AND ENTER INTO A CONSENT TO MORTGAGE AGREEMENT WITH COMERICA BANK ON BEHALF OF CONSTRUCTION HELICOPTERS, INCORPORATED - Airport / Infrastructure & Development Committee

7. **ADJOURNMENT**

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION AUTHORIZING TRANSFER OF LAND TO MARION, HOWELL, OCEOLA AND GENOA SEWER AND WATER AUTHORITY – County Administration / Infrastructure & Development Committee

WHEREAS, in the early 1990's, the Townships of Marion, Howell and Oceola established the Marion, Howell and Oceola Sewer and Water Authority (Genoa Township later joined to form the present Marion, Howell, Oceola and Genoa Sewer and Water Authority (MHOG)) ; and

WHEREAS, in May, 1994, via Resolution #594-154, Livingston County entered into a contract with the Townships, agreeing to the acquisition and construction of a Joint Water System Project to promote and improve the health and welfare of the residents of the involved Townships, with funding most economically and efficiently being provided and financed by the County; and

WHEREAS, pursuant to the above Joint Water System Project Contract, Section 14(a), Ownership of Project:

*“The County, subject to the terms of this Contract and during the term of this Contract, shall have legal title to the Project. After the retirement of the Bonds, and after the Townships’ obligations under this Contract are satisfied, the **legal title to the Project shall be transferred** jointly to the Townships or to **such other authority** or legal entity as **the Townships may have created** to take control thereof.”*

WHEREAS, also pursuant to the Contract, on August 9, 1995, the Marion, Howell and Oceola Sewer and Water Authority transferred vacant land located in the Township of Howell, Livingston County, described as:

Part of the Southeast ¼ of Section 32, T3N, R4E, Howell Township, Livingston County, Michigan, described as follows: Beginning at a point in Mason Road and on the South Section line, North 89° 55' 08" E 320.00 feet from the South ¼ corner of said Section 32; running thence North 00° 04' 12" E 750.00 feet and parallel to the North-South ¼ line of Section 32; thence South 89° 55' 08" West 320.00 feet and parallel to the South line of Section 32 to the North-South ¼ line of Section 32; thence North 00° 04' 12" East 384.00 feet along the North-South ¼ line of Section 32; thence North 89° 55' 08" East 980.00 feet and parallel to the South line of Section 32; thence South 00° 04' 12" West 1134.00 feet and parallel to the North-South ¼ line of Section 32; thence South 89° 55' 08" West 660.00 feet along Mason Road and the South line of Section 32 to the point of beginning. Containing 20.00 acres more or less.

by Warranty Deed subject to reconveyance to the Authority, as a condition of the County pledging full faith and credit to bonds for the construction of the MHOG water plant; and

WHEREAS, since the subject property was never utilized by MHOG for their water plant, the Authority is requesting the County convey the above-referenced property back to MHOG pursuant to the Joint Water System Project Contract; and

WHEREAS, this matter has been favorably recommended for approval by the Infrastructure & Development Committee.

THEREFORE BE IT RESOLVED that the Livingston County Board of Commissioners hereby authorizes the conveyance of the above-referenced property to the Marion, Howell, Ocoola and Genoa Sewer and Water Authority via Warranty Deed.

BE IT FURTHER RESOLVED that the Chairman of the Board of Commissioners be authorized to sign the above-referenced Warranty Deed upon preparation by County Administration.

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MOVED:

SECONDED:

CARRIED:

RESOLUTION

NO:

LIVINGSTON COUNTY

DATE:

RESOLUTION TO CONCUR WITH THE LIVINGSTON COUNTY AERONAUTICAL FACILITIES BOARD AND ENTER INTO A CONSENT TO MORTGAGE AGREEMENT WITH COMERICA BANK ON BEHALF OF CONSTRUCTION HELICOPTERS, INCORPORATED -- Airport / Infrastructure & Development Committee

WHEREAS, Livingston County has entered into a land lease agreement with Construction Helicopters, Incorporated for property located at the Livingston County Airport; and

WHEREAS, the lease permits Construction Helicopters, Inc. to mortgage its leasehold interest in the leased premises; and

WHEREAS, Comerica Bank is intending to make a mortgage loan to Construction Helicopters, Inc., which loan is to be secured in part by a mortgage on the leased premises and desires certain agreements with the County concerning Comerica=s rights as mortgagee and secured lender.

THEREFORE BE IT RESOLVED the Livingston County Board of Commissioners concurs with the Livingston County Aeronautical Facilities Board to enter into a Consent to Mortgage Agreement with Comerica Bank of Detroit, Michigan on behalf of Construction Helicopters, Inc.

BE IT FURTHER RESOLVED the Chair be authorized to sign the Agreement which has been developed with the assistance of Civil Counsel.

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Moved:

Seconded:

Carried: