



7275 W. MAIN STREET, KALAMAZOO, MI 49009
269-216-5220 Fax 375-7180 TDD 375-7198
www.oshtemo.org

**DOWNTOWN DEVELOPMENT AUTHORITY
Board of Directors**

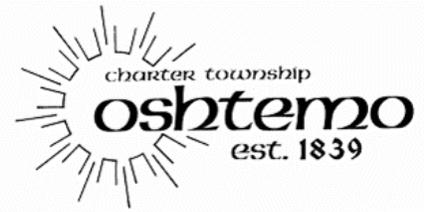
Regular Meeting

**Oshtemo Community Center
6407 Parkview Avenue**

January 21, 2016
12:00 p.m.

AGENDA

- 1) Call to Order
- 2) Election of Officers
- 3) Approve Agenda
- 4) Approval of Minutes:
- 5) Treasurer's Report:
 - a. November-December, 2015 (unaudited)
 - b. Approval of Invoices
- 6) 9th Street Rear Access Drive Update
- 7) Streetscape and Beautification Efforts Update
 - a) Establish ongoing Subcommittee
- 8) CITGO Station
 - a) Consumers Energy Aerial Easement
- 9) Grant and Loan Program Development
 - a) Establish ongoing Subcommittee to review applications
- 10) Flesher Field Concert Series – Sponsorship Request
- 11) Any Other Business
- 12) Announcements and Adjournment



To: DDA Board
From: Julie Johnston
Date: January 15, 2016
Re: Treasurer's Report

Attached you will find the Treasurer's Report through December 31, 2015, unaudited.

In November and December revenues increased slightly from interest earned. On the expense side, one invoice was paid to OCBA for Streetscape Design and Contract Documents in the amount of \$1,598.96 for a total of \$31,392.50. A copy of the invoice is attached. In addition, two invoices were paid to Siegfried Crandall for accounting services totaling \$150.00 and one invoice was paid to S&T Landscape for maintenance in November totaling \$248.00. Quarterly billing from the Township for staff time and attorney fees has also been applied to the budget for this report.

Attachment: Treasurer's Report November - December, 2015
Invoices

DOWNTOWN DEVELOPMENT AUTHORITY
Treasurer's Report November - December, 2015
unaudited

REVENUES	2015 Budget	Previous Activity	Activity this Period	Available Balance	Percent of Budget
Carryover	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Current Real Property Tax	\$73,997.00	\$78,442.20	\$0.00	\$78,442.20	106.01%
Miscellaneous	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Interest Earned	\$300.00	\$543.97	\$360.18	\$904.15	301.38%
TOTAL REVENUES	\$74,297.00	\$78,986.17	\$360.18	\$79,346.35	106.80%

EXPENDITURES	2015 Budget	Previous Activity	Activity this Period	Total Activity	Available Balance per Original Budget	Percent Used
Staff	\$2,000.00	\$1,500.00	\$500.00	\$2,000.00	\$0.00	100.00%
Supplies	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00	0.00%
Postage	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00	0.00%
Streetscape Design & Contract Docs	\$38,297.00	\$29,793.54	\$1,598.96	\$31,392.50	\$6,904.50	81.97%
Accounting & Auditing Fees	\$1,500.00	\$1,450.00	\$150.00	\$1,600.00	-\$100.00	106.67%
Legal Fees	\$5,000.00	\$840.00	\$0.00	\$840.00	\$4,160.00	16.80%
Legal Notices	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00	0.00%
Repairs & Maintenance	\$5,000.00	\$3,039.50	\$248.00	\$3,287.50	\$1,712.50	65.75%
Obligated Projects**	\$20,000.00	\$3,700.93	\$0.00	\$3,700.93	\$16,299.07	18.50%
Land Acquisition	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
TOTAL EXPENDITURES	\$74,297.00	\$40,323.97	\$2,496.96	\$42,820.93	\$31,476.07	57.63%

TOTAL REVENUES 2015	\$79,346.35
TOTAL EXPENDITURES 2015	\$42,820.93
NET BALANCE 2015*	\$36,525.42

*Month of December not yet closed by Township, final net balance may change.

TOTAL FUND BALANCE (December 31, 2015): \$567,448.09

**Obligated Projects include Grant Loan Program (\$10k) and Citgo site development (\$10k)

**Commercial Rear Access Drive: \$70,000?

SiegfriedCrandallPC

Certified Public Accountants & Advisors

246 E. Kilgore Road
Kalamazoo, MI 49002-5599
www.siegfriedcrandall.com

Telephone 269-381-4970
800-876-0979
Fax 269-349-1344

CHARTER TOWNSHIP OF OSHTEMO
7275 WEST MAIN STREET
KALAMAZOO, MI 49009

Invoice Number: 87044
Client ID: 6870

Date: 10/31/2015
Payable upon receipt

Professional services during the month of October 2015, which included the following:	
Joel's assistance with August and September reconciliations	1,451.25
Steve's assistance with 2015 Budget and Cap Plan	740.00

Breakdown by fund:

101 - \$1,291.25
 107 - 100.00
 206 - 200.00
 207 - 100.00
 211 - 100.00
 249 - 100.00
 490 - 100.00
 491 - 100.00
 900 - 100.00

\$2,191.25
=====

Vendor # SC
 Acct # _____
 Net Amt 2191.25 Due Date 11/13
 Invoice # 87044 Inv Date 10/31
 Comment accting support

New Charges:	\$2,191.25
Plus Prior Balance:	\$0.00
New Balance:	<u>\$2,191.25</u>

<u>10/31/2015</u>	<u>09/30/2015</u>	<u>08/31/2015</u>	<u>07/31/2015</u>	<u>06/30/2015+</u>
2,191.25	0.00	0.00	0.00	0.00

Unpaid balances after 60 days subject to interest at 1% per month, minimum of \$1.00

P.O. # 7396

30 September 2015



Mr. Terry E. Schley, Chairperson
Downtown Development of Oshtemo Township
c/o 7275 West Main Street
Kalamazoo, MI 49009

Sent via e-mail ONLY to: Terry Schley at tschley@schley-aia.com
copied to: Greg Milliken at gmilliken@oshtemo.org

RE: Oshtemo DDA Streetscape

Invoice #41501 - 6

Billing Period: through 9/30/2015

Conceptual and Schematic Design Fee Not To Exceed (excluding expenses) \$ 32,500.00

Total Billed to Date \$ 31,018.48

Percentage Billed to Date 95%

Principal

Meetings, Project Management, Research, Estimating
3.75 hours @ \$100.00 \$ 375.00

Landscape Architect

Estimating
6.00 hours @ \$70.00 \$ 420.00

Landscape Designer

Design, Drafting, Rendering/Graphics, Report Writing
11.75 hours @ \$60.00 \$ 705.00 \$ 1,500.00

Reimbursable Expenses (estimated not to exceed \$500.00)

Mileage (9/24/15 - 22 mi. @ \$0.575) \$ 12.65
Reprographics 86.31 \$ 98.96

Amount Due this Invoice \$ 1,598.96

Thank you,
Kenneth W. Peregón

Billing Summary

	Fee	Consultants	Expenses	Total
Previous Invoices	\$ 27,025.00	\$ 2,493.48	\$ 275.06	\$ 29,793.54
Current Invoice	1,500.00	0.00	98.96	1,598.96
Total Billed to Date	\$ 28,525.00	\$ 2,493.48	\$ 374.02	\$ 31,392.50

OCT - 8 2015

O'Boyle, Cowell, Blalock and Associates, Inc.
521 S. Riverview Dr., Kalamazoo, MI 49004
Ph. 269-381-3357, Fax 269-381-2944

okay to pay
Julie Johnston
11/23/2015

Lawn Service Inc.

3393 South 6th Street
Kalamazoo, MI 49009
(269) 375-0334

Invoice

Bill To:

Oshemo Charter Township
7275 West Main Street
Kalamazoo, MI 49009

Date: 10/31/2015

Invoice #: 12439

Terms: Net 15

Regarding: Parkview Hall

Date:	Description:	Quantity:	Rate:	Amount:
10/1/2015	10/01/2015 -- Fertilizing	1	0.00	0.00
10/7/2015	10/07/2015 -- Weeding	1	0.00	0.00
10/8/2015	10/08/2015 -- Lawn Mowing & Trimming	1	0.00	0.00
10/14/2015	10/14/2015 -- Weeding	1	0.00	0.00
10/14/2015	10/14/2015 -- Lawn Mowing & Trimming	1	0.00	0.00
10/21/2015	10/21/2015 -- Weeding	1	0.00	0.00
10/21/2015	10/21/2015 -- Lawn Mowing & Trimming	1	0.00	0.00
10/28/2015	10/28/2015 -- Weeding	1	0.00	0.00
10/28/2015	10/28/2015 -- Lawn Mowing & Trimming	1	0.00	0.00
10/31/2015	10/31/2015 -- Lawn Service - Monthly Installment	1	0.00	0.00
			248.00	248.00

INVOICE # 12439

INVOICE DATE 10-31-15

PO # 7228

INVOICE AMOUNT 248.00

CLOSE PO? YES / NO

Total \$248.00

Thank you for your business.

SiegfriedCrandallPC

Certified Public Accountants & Advisors

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Telephone 269-381-4970
800-876-0979
Fax 269-349-1344

CHARTER TOWNSHIP OF OSHTEMO
7275 WEST MAIN STREET
KALAMAZOO, MI 49009

Invoice Number: 87187
Client ID: 6870

Date: 11/30/2015
Payable upon receipt

Professional services during the month of November 2015, which included the following:

Steve - assistance with budget, dashboard and citizen's guide (10.5 hours @ \$185)	1,942.50
Josh - assistance with dashboard and citizen's guide (7.5 hours @ \$125)	937.50
Ann - assistance with Tax reconciliation (3 hrs @ \$125)	375.00
Joel - October cash assistance (3.75 hrs @ \$135)	506.25
Less: discount	(161.25)

Breakdown by fund:

101 - \$3,100
107 - 50
206 - 100
207 - 50
211 - 50
249 - 100
490 - 50
491 - 50
900 - 50

\$3,600
====

New Charges: \$3,600.00

Plus Prior Balance: \$0.00

New Balance: \$3,600.00

Vendor # SC

Acct # above

Net Amt 3600- Due Date 12/11

Invoice # 87187 Inv Date 11/30

Comment Accting support



SignArt, Inc.
 5757 East Cork Street
 KALAMAZOO, MICHIGAN 49048
 Phone: 800.422.3030 Fax: 269.381.0999

INVOICE 000616
 Invoice Date 11/30/2015
 Sales Order 0000858
 Quotation # 0001980
 Customer PO
 Customer ID OT04
 Salesperson Steven J. VanderSloot

PURCHASER OSHTEMO CHARTER TOWNSHIP
 7275 W. MAIN ST.
 KALAMAZOO, MI 49009

LOCATION OSHTEMO CHARTER TOWNSHIP
 7275 W. MAIN ST.
 KALAMAZOO, MI 49009

ATTENTION

CONTACT

Item	Qty	UM	Description of Work	Price	Extension
001	1.00	EA	BANNER SWAP Using one (1) man and 30' bucket truck, travel to township offices and swap out existing banners located on various utility poles in the village district. Return old banners to SignArt for storage.	\$380.00	\$380.00

SignArt, Inc. Is An Equal Opportunity Employer

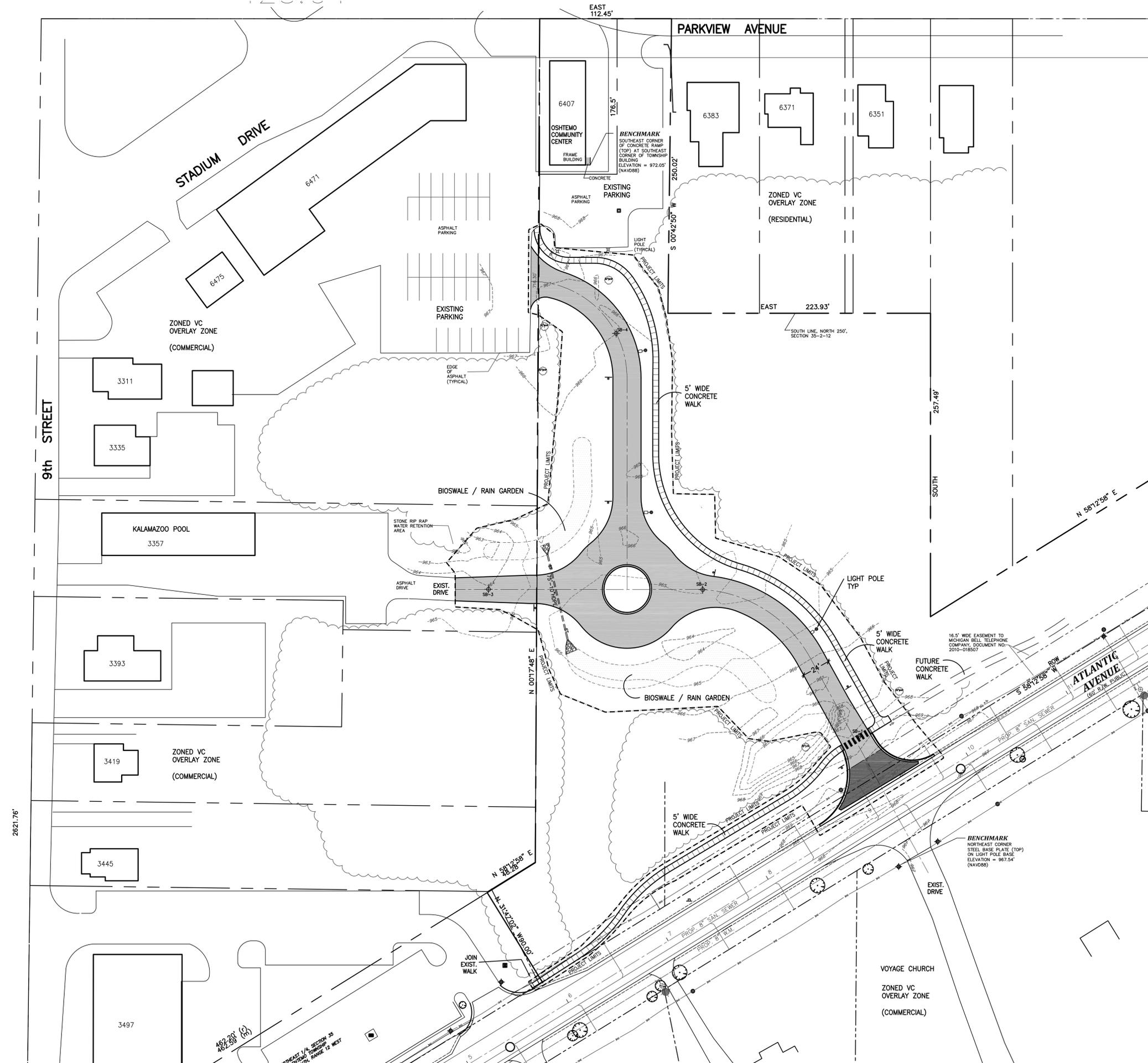
* indicates a taxed item

AMOUNT DUE UPON RECEIPT.

ALL ACCOUNTS PAST DUE MORE THAN 10 DAYS WILL BE SUBJECT TO A SERVICE CHARGE OF 1 1/2% PER MONTH ON THE UNPAID BALANCE (18% ANNUAL PERCENTAGE RATE PER YEAR).

IN THE EVENT THIS INVOICE IS PLACED FOR COLLECTION OR IF COLLECTED BY SUIT, REASONABLE ATTORNEY'S FEES AND/OR COLLECTION COSTS SHALL BE ADDED.

Balance Due: \$380.00



EXISTING FEATURES LEGEND

-695-	EXISTING CONTOURS	MAP = MAPLE	
949.5 x	EXISTING SPOT ELEVATIONS	WAL = WALNUT	
●	FOUND IRON	LOC = LOCUST	
○	SET 1/2" REBAR W/ ID CAP #38116	○	DECIDUOUS TREE
—	EXISTING OVERHEAD ELECTRIC	⊗	GAS MARKER FLAG
		⊗	EXISTING LIGHT POLE
		○	EXISTING UTILITY POLE

PROPOSED FEATURES LEGEND:

SYMBOL	DESCRIPTION
(A)	ASPHALT ROAD PAVEMENT - MODERATE DUTY
(B)	ASPHALT ROAD PAVEMENT - HEAVY DUTY
(C)	MDOT TYPE C CONCRETE CURB AND GUTTER
(D)	MDOT TYPE D ROLLOVER CURB AND GUTTER
(E)	CONCRETE WALK
●	LIGHT POLE AND FIXTURE
▬▬▬▬	LIMIT OF WORK
▬▬▬▬▬▬	ENLARGEMENT LIMIT LINE
⊕ SB-1	SOIL BORING - SEE GEOTECHNICAL REPORT.

KEY	DESCRIPTION	DETAIL
(A)	ASPHALT ROAD PAVEMENT - MODERATE DUTY	1 /C6.0
(B)	ASPHALT ROAD PAVEMENT - HEAVY DUTY	2 /C6.0
(C)	MDOT TYPE C CONCRETE CURB AND GUTTER	3 /C6.0
(D)	MDOT TYPE D ROLLOVER CURB AND GUTTER	4 /C6.0
(E)	CONCRETE WALK	8 /C6.0
(F)	CULVERT WITH FLARED END SECTION	5 /C6.0
(G)	CROSSWALK STRIPING GRAPHICS	11 /C6.0
(H)	CONCRETE VALLEY GUTTER	15 /C6.0

SIGNS	REFER TO DETAIL 6/ C6.0
(S1)	STOP SIGN SEE SPECS.
(S2)	YIELD SIGN SEE SPECS.
(S3)	SPEED LIMIT SIGN SEE SPECS.

- NOTES:**
- SURVEY OF EXISTING SITE CONDITIONS PROVIDED BY: WIGHTMAN & ASSOCIATES 9835 PORTAGE RD, PORTAGE, MI 49002 PH. 269-327-3532.
 - PROPOSED WORK IN ATLANTIC AVENUE R.O.W PROVIDED BY PREIN & NEUHOFF 7123 STADIUM DRIVE, KALAMAZOO MI 49009 PH : 372-1158
 - PAVEMENT DIMENSIONS AND RADII ARE TO EDGE OF PAVEMENT OR BACK OF CURB.
 - DISCREPANCIES BETWEEN SITE AND PLANS SHOULD BE REPORTED TO THE PROJECT MANAGER IMMEDIATELY.
 - VERIFY LOCATIONS OF ALL BELOW GRADE UTILITIES PRIOR TO BEGINNING WORK. 72 HOURS BEFORE YOU DIG CALL "MISS DIG" AT 1-800-482-7171.
 - BARRIER-FREE AND ACCESSIBLE ROUTE(S) MUST COMPLY WITH THE AMERICANS WITH DISABILITIES ACT AND MICHIGAN BARRIER-FREE CODE REQUIREMENTS, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:
 - 1:50 (2%) MAXIMUM CROSS-SLOPE ON ACCESSIBLE ROUTE.
 - NO CHANGES IN LEVEL GREATER THAN 1/2" ALONG ACCESSIBLE ROUTE.
 - 1:20 (5%) MAXIMUM LONGITUDINAL SLOPE ON ACCESSIBLE ROUTE (EXCEPT WHERE RAMP ARE PROVIDED).
 - GEOTECHNICAL REPORT PREPARED BY : DRIESENGA ASSOCIATES. 552 SOUTH 8th STREET KALAMAZOO, MICHIGAN 49009 PH (269) 544-1455 PROJECT No. 1550157.3A

Site Notes

SUBJECT PARCEL ZONING : VILLAGE COMMERCIAL OVERLAY ZONE
 PARCEL AREA : 282,424 SQ FT = 6.48 AC

OWNER : OSHTEMO TOWNSHIP
 7279 WEST MAIN STREET
 KALAMAZOO, MI 49009

EXISTING VEGETATION : MIXED HARDWOODS, PREDOMINATELY BLACK WALNUT AND MAPLE



521 South Riverview Drive
 Kalamazoo, Michigan 49004
 Phone (269) 381-3357
 Fax (269) 381-2944

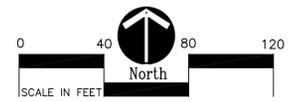
Landscape Architecture
 Urban Planning
 Parks & Recreation
 Campus & Institutional Planning
 Camp Planning & Design

For Review Only -
Not For Construction

Issued For:	Date
OWNER REVIEW	JANUARY 14, 2016

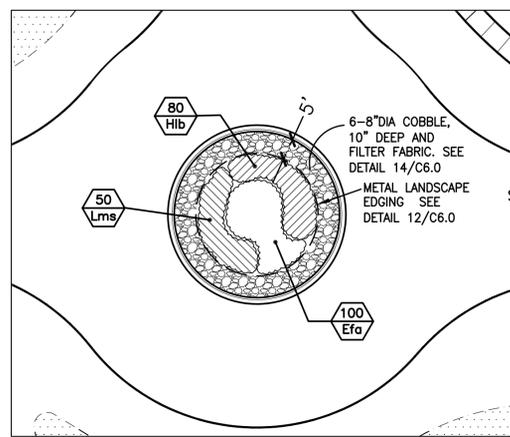
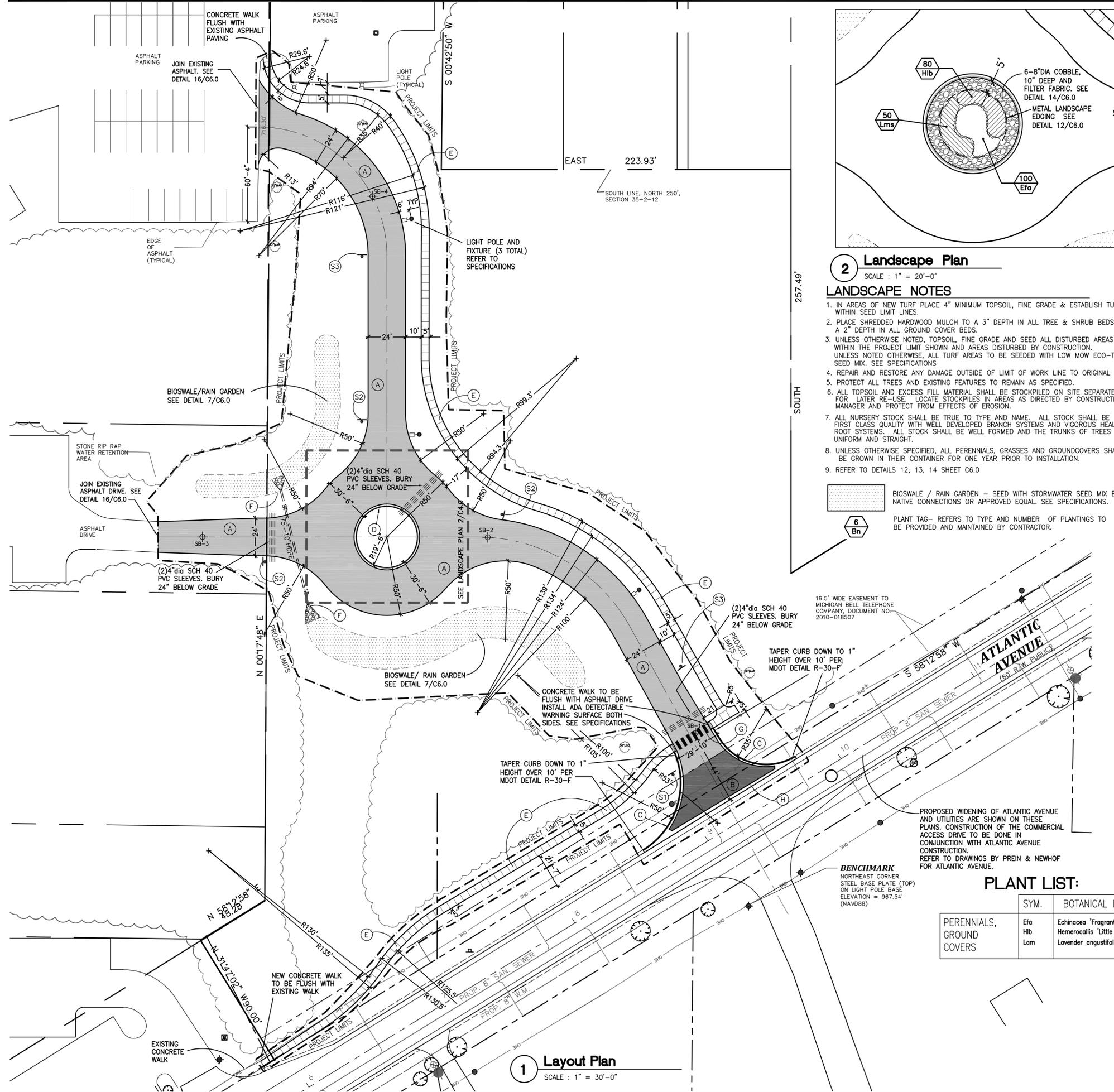
Project:
Oshtemo Commercial Area Access Phase 1
 Oshtemo Township, MI

Sheet Title
Site and Lighting Plan



Job No. _____ Sheet No. _____

41401 C2.0



2 Landscape Plan

SCALE : 1" = 20'-0"

LANDSCAPE NOTES

1. IN AREAS OF NEW TURF PLACE 4" MINIMUM TOPSOIL, FINE GRADE & ESTABLISH TURF WITHIN SEED LIMIT LINES.
2. PLACE SHREDDED HARDWOOD MULCH TO A 3" DEPTH IN ALL TREE & SHRUB BEDS & TO A 2" DEPTH IN ALL GROUND COVER BEDS.
3. UNLESS OTHERWISE NOTED, TOPSOIL, FINE GRADE AND SEED ALL DISTURBED AREAS WITHIN THE PROJECT LIMIT SHOWN AND AREAS DISTURBED BY CONSTRUCTION. UNLESS NOTED OTHERWISE, ALL TURF AREAS TO BE SEEDED WITH LOW MOW ECO-TURF SEED MIX. SEE SPECIFICATIONS.
4. REPAIR AND RESTORE ANY DAMAGE OUTSIDE OF LIMIT OF WORK LINE TO ORIGINAL CONDITION.
5. PROTECT ALL TREES AND EXISTING FEATURES TO REMAIN AS SPECIFIED.
6. ALL TOPSOIL AND EXCESS FILL MATERIAL SHALL BE STOCKPILED ON SITE SEPARATELY FOR LATER RE-USE. LOCATE STOCKPILES IN AREAS AS DIRECTED BY CONSTRUCTION MANAGER AND PROTECT FROM EFFECTS OF EROSION.
7. ALL NURSERY STOCK SHALL BE TRUE TO TYPE AND NAME. ALL STOCK SHALL BE FIRST CLASS QUALITY WITH WELL DEVELOPED BRANCH SYSTEMS AND VIGOROUS HEALTHY ROOT SYSTEMS. ALL STOCK SHALL BE WELL FORMED AND THE TRUNKS OF TREES SHALL BE UNIFORM AND STRAIGHT.
8. UNLESS OTHERWISE SPECIFIED, ALL PERENNIALS, GRASSES AND GROUNDCOVERS SHALL BE GROWN IN THEIR CONTAINER FOR ONE YEAR PRIOR TO INSTALLATION.
9. REFER TO DETAILS 12, 13, 14 SHEET C6.0

- BIOSWALE / RAIN GARDEN - SEED WITH STORMWATER SEED MIX BY NATIVE CONNECTIONS OR APPROVED EQUAL. SEE SPECIFICATIONS.
- PLANT TAG - REFERS TO TYPE AND NUMBER OF PLANTINGS TO BE PROVIDED AND MAINTAINED BY CONTRACTOR.

EXISTING FEATURES LEGEND

	EXISTING CONTOURS		MAP = MAPLE
	EXISTING SPOT ELEVATIONS		WAL = WALNUT
	FOUND IRON		LOC = LOCUST
	SET 1/2" REBAR W/ ID CAP #38116		DECIDUOUS TREE
	EXISTING OVERHEAD ELECTRIC		GAS MARKER FLAG
	EXISTING UTILITY POLE		EXISTING LIGHT POLE

PROPOSED FEATURES LEGEND:

SYMBOL	DESCRIPTION	DETAIL
	ASPHALT ROAD PAVEMENT - MODERATE DUTY	1 /C6.0
	ASPHALT ROAD PAVEMENT - HEAVY DUTY	2 /C6.0
	MDOT TYPE C CONCRETE CURB AND GUTTER	3 /C6.0
	MDOT TYPE D ROLLOVER CURB AND GUTTER	4 /C6.0
	CONCRETE WALK	8 /C6.0
	CULVERT WITH FLARED END SECTION	5 /C6.0
	CROSSWALK STRIPING GRAPHICS	11 /C6.0
	CONCRETE VALLEY GUTTER	15 /C6.0
	SOIL BORING - SEE GEOTECHNICAL REPORT.	
	STOP SIGN	SEE SPECS.
	YIELD SIGN	SEE SPECS.
	SPEED LIMIT SIGN	SEE SPECS.
	REFER TO DETAIL 6/ C6.0	

NOTES:

1. SURVEY OF EXISTING SITE CONDITIONS PROVIDED BY: WIGHTMAN & ASSOCIATES 9835 PORTAGE RD, PORTAGE, MI 49002 PH. 269-327-3532.
2. PROPOSED WORK IN ATLANTIC AVENUE R.O.W PROVIDED BY PREIN & NEWHOF 7123 STADIUM DRIVE, KALAMAZOO MI 49009 PH : 372-1158
3. PAVEMENT DIMENSIONS AND RADII ARE TO EDGE OF PAVEMENT OR BACK OF CURB.
4. DISCREPANCIES BETWEEN SITE AND PLANS SHOULD BE REPORTED TO THE PROJECT MANAGER IMMEDIATELY.
5. VERIFY LOCATIONS OF ALL BELOW GRADE UTILITIES PRIOR TO BEGINNING WORK. 72 HOURS BEFORE YOU DIG CALL "MISS DIG" AT 1-800-482-7171.
6. BARRIER-FREE AND ACCESSIBLE ROUTE(S) MUST COMPLY WITH THE AMERICANS WITH DISABILITIES ACT AND MICHIGAN BARRIER-FREE CODE REQUIREMENTS, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:
 - 1:50 (2%) MAXIMUM CROSS-SLOPE ON ACCESSIBLE ROUTE.
 - NO CHANGES IN LEVEL GREATER THAN 1/2" ALONG ACCESSIBLE ROUTE.
 - 1:20 (5%) MAXIMUM LONGITUDINAL SLOPE ON ACCESSIBLE ROUTE (EXCEPT WHERE RAMPS ARE PROVIDED).
7. GEOTECHNICAL REPORT PREPARED BY : DRIESNGA ASSOCIATES. 552 SOUTH 8th STREET KALAMAZOO, MICHIGAN 49009 PH (269) 544-1455 PROJECT No. 1550157.3A

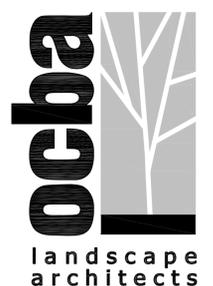
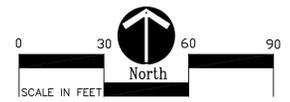
PLANT LIST:

	SYM.	BOTANICAL NAME	COMMON NAME	SIZE	ROOT COM.
PERENNIALS, GROUND COVERS	Efa	Echinacea 'Fragrant Angel'	Fragrant Angel Coneflower	1 Gal.	Cont. 18" O.C.
	Hib	Hemerocallis 'Little Business'	Little Business Daylily	1 Gal.	Cont. 16" O.C.
	Lam	Lavender angustifolia 'Munstead'	Munstead English Lavender	1 Gal.	Cont. 24" O.C.

For Review Only - Not For Construction

Issued For:	Date
OWNER REVIEW	JANUARY 14, 2016

Project:
Oshtemo Commercial Area Access Phase 1
 Oshtemo Township, MI
 Sheet Title
Layout and Landscape Plan



521 South Riverview Drive
 Kalamazoo, Michigan 49004
 Phone (269) 381-3357
 Fax (269) 381-2944

Landscape Architecture
 Urban Planning
 Parks & Recreation
 Campus & Institutional Planning
 Camp Planning & Design



To: DDA Board
From: Julie Johnston
Date: January 15, 2016
Re: Consumers Energy Aerial Easement Agreement

Consumers Energy has requested an aerial easement over 6520 Stadium Drive, property owned by the Oshtemo Downtown Development Authority. Per the DDA's request, Township Attorney Jim Porter has reviewed the easement documents. He indicates that the document is a standard easement agreement and has no issues or concerns with the execution of the agreement.

Consumers Energy has requested that the easement agreement be executed by the DDA before the end of January.

Attachment: Consumers Energy Letter
Easement Agreement



Oshtemo Downtown Development

In order to install electric facilities for 6520 Stadium Dr, we must secure permission to cross a portion of your property with our electric facilities.

Enclosed is our standard right-of-way Easement form. Would you please sign this instrument as I have indicated and return it to me at your earliest convenience. Your promptness in having this instrument signed and returned will enable us to proceed with our construction plans.

If you have any questions concerning the design of this job, please call Kylee Maycroft at (269) 337-2332. If you have any questions regarding the Easement, please call me at (304) 481-0895.

After signed and notarized please mail the original back to Jeremy Williams in the return envelope that is provided.

Consumers Energy
Attention: Jeremy Williams
One Energy Plaza EP7-469
Jackson, MI 49201

Thank you very much for your cooperation in this matter.

Chris Fausel
Right-of-Way Specialist
Real Estate Services

EASEMENT FOR ELECTRIC FACILITIES

SAP# 1032064403
Design# 10635271
Agreement# MIO0000020427

Oshtemo Downtown Development Authority, whose address is P.O. Box 267, Lawton, Michigan 49009 (hereinafter "Owner")

for \$1.00 and other good and valuable consideration [exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to MCLA 207.526(f)] grants and warrants to

CONSUMERS ENERGY COMPANY, a Michigan corporation, One Energy Plaza, Jackson, Michigan 49201 (hereinafter "Consumers")

a permanent easement to enter Owner's land (hereinafter "Owner's Land") located in the Township of Oshtemo, County of Kalamazoo, and State of Michigan as more particularly described in the attached Exhibit A to construct, operate, maintain, inspect (including aerial patrol), survey, replace, reconstruct, improve, remove, relocate, change the size of, enlarge, and protect a line or lines of electric facilities in, on, over, under, across, and through a portion of Owner's Land (hereinafter "Easement Area") as more fully described in the attached Exhibit B, together with any pole structures, poles, or any combination of same, wires, cables, conduits, crossarms, braces, guys, anchors, transformers, electric control circuits and devices, location markers and signs, communication systems, utility lines, protective apparatus and all other equipment, appurtenances, associated fixtures, and facilities, whether above or below grade, useful or incidental to or for the operation or protection thereof, and to conduct such other activities as may be convenient in connection therewith as determined by Consumers for the purpose of transmitting and distributing electricity.

Additional Work Space: In addition to the Easement rights granted herein, Owner further grants to Consumers, during initial construction and installation only, the right to temporarily use such additional work space reasonably required to construct said lines. Said temporary work space shall abut the Easement Area, on either side, as required by construction.

Access: Consumers shall have the right to unimpaired access to said line or lines, and the right of ingress and egress on, over, and through Owner's Land for any and all purposes necessary, convenient, or incidental to the exercise by Consumers of the rights granted hereunder.

Trees and Other Vegetation: Owner shall not plant any trees within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, roots, and other vegetation within the Easement Area.

Buildings/Structures: Owner agrees not to build, create, construct, or permit to be built, created, or constructed, any obstruction, building, septic system, drain field, fuel tank, pond, swimming pool, lake, pit, well, foundation, engineering works, installation or any other type of structure over, under, or on said Easement Area, whether temporary or permanent, natural or man-made, without the express authorization of Consumers, which may be withheld in Consumers' sole discretion, recorded in the register of deeds for the county in which Owner's Land is situated expressly allowing the aforementioned.

Ground Elevation: Owner shall not materially alter the ground elevation within the Easement Area without the express authorization of Consumers, which may be withheld in Consumers' sole discretion, recorded in the register of deeds for the county in which Owner's Land is situated expressly allowing the aforementioned.

Exercise of Easement: Consumers' nonuse or limited use of this Easement shall not preclude Consumers' later use of this Easement to its full extent.

Ownership: Owner covenants with Consumers that they are the lawful fee simple owner of the aforesaid lands, and that they have the right and authority to make this grant, and that they will forever warrant and defend the title thereto against all claims whatsoever.

Successors: This easement shall bind and benefit Owner's and Consumers' respective heirs, successors, lessees, licensees, and assigns.

Counterparts: This easement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. It is not necessary that all parties execute any single counterpart if each party executes at least one counterpart.

Date: _____

Owner: Oshtemo Downtown Development Authority

As its:

Acknowledgment

The foregoing instrument was acknowledged before me in _____ County, Michigan,
on _____ by _____ as its _____
Date
for Oshtemo Downtown Development Authority _____.

Notary Public

County, Michigan
Acting in _____ County
My Commission expires: _____

Prepared By: Chris Fausel 11/16/2015
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

After recording, return to:
Carrie Main, EP7-471
Business Services
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

EXHIBIT A

Owner's Land

Part of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 35, T2S, R12W, Oshtemo Township, Kalamazoo County, Michigan, described as follows: Commencing at the intersection of the North & South $\frac{1}{4}$ line with the centerline of W. Michigan Ave.; thence Southwest along said centerline 168.00 feet; thence North 51.69 feet to the Point of Beginning; thence North 106.31 feet; thence Northeasterly parallel with said centerline 116.31 feet; thence South 106.31 feet; thence Southwesterly 116.31 feet to the Point of Beginning.

Parcel Id: 05-35-130-101

Commonly known as: 6520 Stadium Dr., Kalamazoo, Michigan 49009

EXHIBIT B

Easement Area

A 30 foot-wide strip of land, being 15 feet on each side of the centerline of the line constructed on Owner's Land, the centerline to be located approximately as shown in the attached drawing.

