

**CHARTER TOWNSHIP OF YORK
WASHTENAW COUNTY, MICHIGAN
RESOLUTION #2009-03**

**RESOLUTION TO APPROVE AN AMENDED INDUSTRIAL FACILITIES TAX EXEMPTION
CERTIFICATE NO. 2005-172 AND AMENDED LETTER OF AGREEMENT WITH
TOYOTA MOTOR ENGINEERING & MANUFACTURING NORTH AMERICA, INC.**

Minutes of a Regular Meeting of the Township Board of the Charter Township of York, Washtenaw County, Michigan held at the Township Hall in said Township on the 10th day of February, 2009.

PRESENT: Members Joe Zurawski, Helen Neill, Sally Donahue, Jane Kartje, Gary Zajac,

Wayne Meier, Jill Hargrove

ABSENT: None

The following preamble and resolution were offered by Member Donahue and seconded by Member Meier.

WHEREAS, pursuant to P.A. 198 of 1974, MCL §207.551 et seq., after a duly noticed public hearing held on September 14, 2004, York Charter Township Board by resolution established York Charter Township Industrial Development District No. 1;

WHEREAS, on May 10, 2005, the Township approved an April 12, 2005 application from Toyota Technical Center U.S.A., Inc. (“TTC”) requesting approval of an Industrial Facilities Exemption Certificate (the “IFEC”) pursuant to Act 198 for a new industrial facility to be constructed in York Charter Township Development District No. 1 at the TTC property in sections 2 and 3 of York Charter Township (the “Facility”);

WHEREAS, on June 8, 2005, the Township and TTC entered into a Letter of Agreement concerning the IFEC (“June 8 Letter of Agreement”);

WHEREAS, on October 10, 2006, the Township approved the transfer of the IFEC to Toyota Motor Engineering & Manufacturing North America, Inc., a/k/a Toyota Motor Engineering & Manufacturing, N.A., Inc. (“Company”);

WHEREAS, on October 30, 2006, the Township, TTC and the Company entered into an assignment of the June 8 Letter of Agreement from TTC to the Company;

WHEREAS, the Company has submitted an Amended Application dated January 6, 2009, for an IFEC (“Amended Application”) to the Township for approval, which reflects an increase in total project costs from \$102,200,000.00 to \$116,739,000.00. A copy of the Amended Application is attached hereto Exhibit A;

WHEREAS, before acting on said Amended Application, the York Charter Township Board held a Public Hearing on February 10, 2009, at the York Charter Township Hall in York Charter Township, at 7:00 p.m., prior to which Hearing the applicant, the assessor, and the affected taxing units were given written notice, and at which Hearing the applicant, the assessor and representatives of the affected taxing units were afforded an opportunity to be heard on said application;

WHEREAS, completion of the installation is calculated to and will at the time of issuance of the Amended IFEC have the reasonable likelihood to retain, create or prevent the loss of employment in York Charter Township;

WHEREAS, the aggregate SEV of real and personal property exempt from ad valorem taxes within York Charter Township, after granting this Amended Certificate, will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted;

WHEREAS, the Township Officers and the Township Attorney have negotiated the terms of a proposed Amended Letter of Agreement with representatives of the Company, which has been signed by an authorized representative of the Company. A copy of the proposed Amended Letter of Agreement is attached hereto as Exhibit B; and

WHEREAS, the members of this Board have reviewed the terms and conditions of the proposed Amended Letter of Agreement, and determined that it is in the best interests of the Township, its residents and the residents of the community to enter into said Amended Letter of Agreement.

NOW THEREFORE, BE IT RESOLVED as follows:

1. The Board finds and determines that the granting of the Amendment to Industrial Facilities Exemption Certificate No. 2005-172 considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect

of substantially impeding the operation of York Charter Township, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in York Charter Township.

2. The application of TOYOTA MOTOR ENGINEERING & MANUFACTURING NORTH AMERICA, INC., for an Amended Industrial Facilities Exemption Certificate No. 2005-172 is approved for the property set forth in the Amended Application which has been installed within the York Charter Township Industrial Development District No. 1, at the Company leased property in sections 2 and 3 of York Charter Township, to wit:

See legal description of the property attached hereto as Exhibit C.

Further, the Township Clerk is authorized to complete, sign, and forward the Amended Application to the State Tax Commission.

3. The Industrial Facilities Exemption Certificate when issued shall be and remain in force and effect for a period of 12 years after completion of construction and installation.
4. The Board previously granted one additional year of construction and installation time, for a total of three years.
5. The Board hereby approves the terms of the proposed Amended Letter of Agreement in the form attached as Exhibit B and made a part hereof, and does hereby authorize and direct the Supervisor to execute the same on behalf of the Township.

Roll Call Vote:

AYES: Hargrove, Kartje, Donahue, Zurawski, Neill, Zajac, Meier

NAYS: None

ABSENT: None

ABSTAIN: None

RESOLUTION DECLARED ADOPTED.

Helen Neill, Clerk
Charter Township of York

Dated February 10, 2009

CERTIFICATE

I, Helen Neill, certify that the foregoing is a true and complete copy of Resolution #2009-03 adopted by the Township Board for Charter Township of York, County of Washtenaw, State of Michigan, at a Regular Meeting held on February 10, 2009, and that public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.

Helen Neill, Clerk
Charter Township of York

Dated February _____, 2009