

December 9, 2014

COPIES OF THE
DISBURSEMENT
LIST ARE NOW
AVAILABLE IN THE
CONTROLLER'S
OFFICE

YORK, DOLAN & TOMLINSON, P.C.
Attorneys and Counselors at law
42850 Garfield, Suite 101
Clinton Township, Michigan 48038

John A. Dolan
Timothy D. Tomlinson

November 10, 2014

VIA FEDEX SERVICE

Takahiro & Yumi Tsuchlya

RE: **Nuisance Abatement – 28466 Jahns, Roseville, Michigan 48066**

Dear Mr. & Mrs. Tsuchlya:

We are the attorneys for the City of Roseville. You are the named owner of the above-described property. Please be advised that the Roseville City Council will consider adoption of a resolution commencing condemnation of this property on Tuesday, December 9, 2014 at 7:00 p.m. in the City Council chambers at City Hall. A copy of said proposed resolution enclosed herein.

If you have any questions regarding this matter, please feel free to contact me. We remain,

Very truly yours,

YORK, DOLAN & TOMLINSON, P.C.

Timothy D. Tomlinson
Roseville City Attorney

/jabh
Enclosure

cc: Scott Adkins, Roseville City Manager (Via Email w/Enclosure)
Glenn Sexton, Roseville Building Director (Via Email w/Enclosure)

**CITY OF ROSEVILLE
MACOMB COUNTY, MICHIGAN**

RESOLUTION ON ABATEMENT OF PUBLIC NUISANCE

At a Regular Meeting of the City Council of the City of Roseville, held in the council chambers, 29777 Gratiot Avenue, Roseville, Michigan on the 11th day of November, 2014, commencing at 7:00 p.m.

PRESENT: MEMBERS _____

ABSENT: MEMBERS _____

THE FOLLOWING MOTION WAS MADE:

_____ moved, _____ seconded, to adopt the following

resolution:

WHEREAS, the Building Director for the City of Roseville, Mr. Glenn Sexton, has determined that the property at the following location:

Lot 14, Stoepel's Martin Road Subdivision, according to the plat thereof as recorded in liber 6, page 28 of Plats, Macomb County Records.

Tax Parcel No.: 14-16-306-031

more commonly known as: 27759 Lasslett, Roseville, Michigan, has become and does present an immediate and continuous danger and hazard to the health, safety and welfare of the residents of the City of Roseville, for the following described reasons: the property is vacant and has been "red tagged" by the Building Department since March 4, 2009; the house and garage are dilapidated with many code violations; and the property in its present condition poses a threat to the health, safety and welfare of the general public, and

WHEREAS, the Building Director has notified the owner of the condition of the property and has demanded that same be corrected; and

WHEREAS, the owner has failed, refused and neglected to correct said violations and comply with building and health ordinances of the City of Roseville; and

WHEREAS, the existence of the above described property in its present condition is a present, immediate and continuous danger and hazard to the health, safety and welfare of the residents of the City of Roseville, and must be abated and removed;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. That the property at the afore described location for the afore described reasons is a present, immediate and continuous danger and hazard to the health, safety and welfare of the residents of the City of Roseville, and said violations and dangerous conditions must be abated and removed.

2. That the afore described property be and is hereby declared a public nuisance, and it is hereby ordered that all code violations and dangerous conditions existing on said property be abated and removed.

3. That the Attorney for the City of Roseville and the Building Director for the City of Roseville are hereby authorized to commence all necessary actions to clean up the property pursuant to Section 203-9 of the Code for the City of Roseville, and abate said public nuisances; that all costs incurred by the City of Roseville to abate said nuisances, plus interest at seven (7%) percent per annum, shall become a lien for the benefit of the City of Roseville on all or part of the real property where the violations are located, and such liens shall be of the same character and effect as created by the Roseville City Charter for taxes.

AYES: MEMBERS _____

NAYS: MEMBERS _____

ABSENT: MEMBERS _____

RESOLUTION DECLARED ADOPTED

John Chirkun, Mayor

Richard Steenland, City Clerk

STATE OF MICHIGAN)
)ss.
COUNTY OF MACOMB)

I, Richard Steenland, the duly qualified and acting City Clerk of the City of Roseville, Macomb County, Michigan, do hereby certify that the foregoing is a true and complete copy of the Resolution adopted by the City Council of the City of Roseville, Macomb County, Michigan on November _____, 2014, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance of the Open Meetings Act being Act 267 of the Michigan Public Acts of 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said act.

Richard Steenland, City Clerk



City of Roseville

29777 GRATIOT, P.O. 290
ROSEVILLE, MICHIGAN 48066

10/30/2014

Timothy Tomlinson
York, Dolan & Tomlinson
42850 Garfield, Suite 101
Clinton Township MI 48038

Re: Condemnation - 28466 JAHNS, Roseville MI 48066

Dear Mr. Tomlinson:

This department is requesting that you prepare a resolution for action by City Council at the soonest available City Council Meeting commencing the condemnation of the residential building at the above-mentioned location.

This property is vacant and has been red tagged by the Building Department since March 23, 2012. The house and garage are dilapidated and windows have been boarded up. In its present condition it poses a threat to the health, safety and welfare of the general public and should be removed, as it is a public nuisance. City records indicate that the owner of record is: TSUCHLYA, TAKAHIRO, _____

The legal description is PP# 14-16-152-005.

Copies of our files are attached for your information. If you have any questions, please feel free to contact this department at (586) 445 5450.

Sincerely,

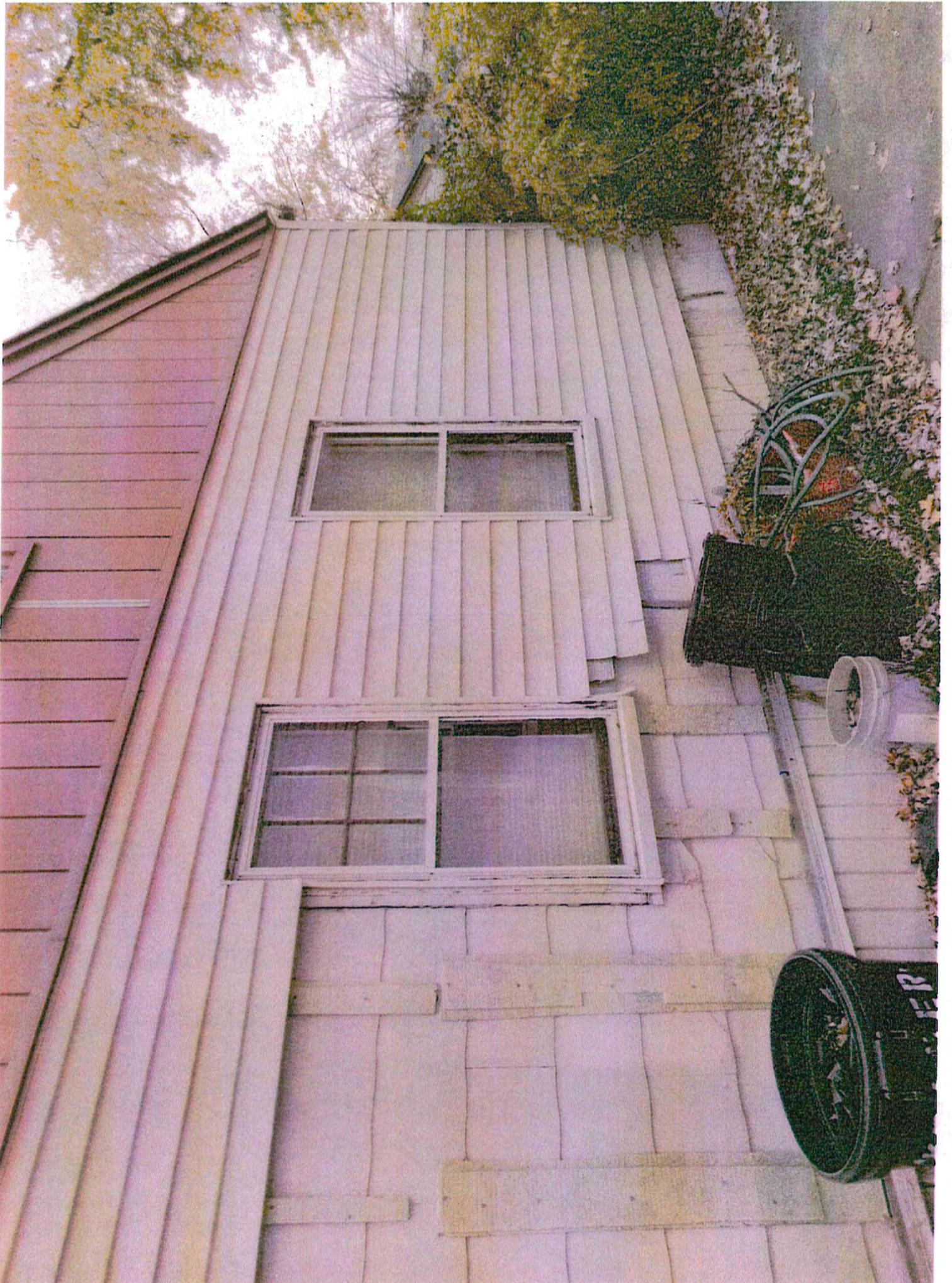
Glenn Sexton
Building Director

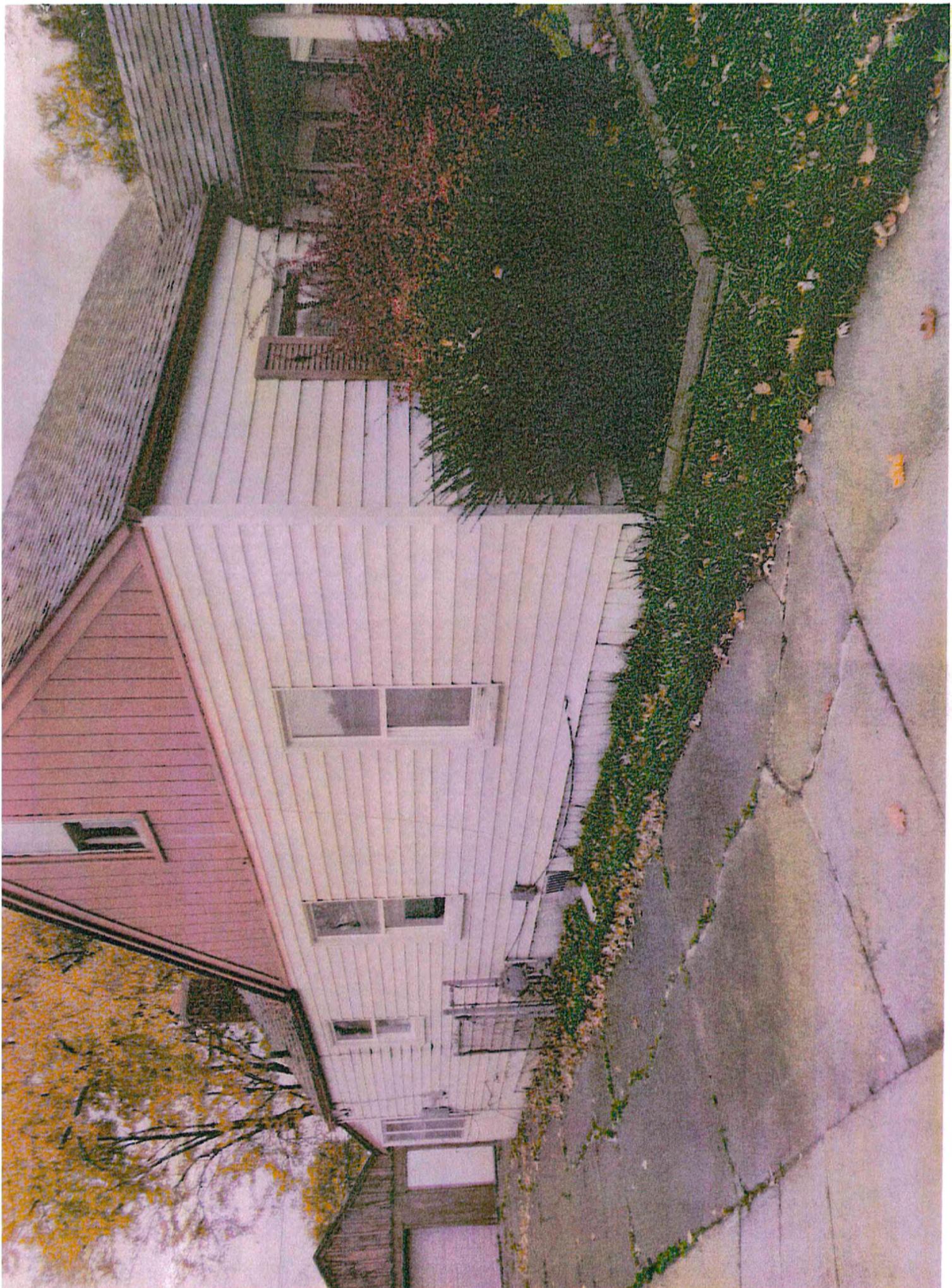
cc: Scott Adkins, City Manager

Attachments

GS/tjh













CITY OF ROSEVILLE
NOTICE OF TWO PUBLIC HEARINGS REGARDING ON THE
PROPOSED ESTABLISHMENT OF AN INDUSTRIAL DEVELOPMENT
DISTRICT AND APPROVAL OF APPLICATION FOR INDUSTRIAL
FACILITIES EXEMPTION CERTIFICATE FOR NATIONAL CONEY
ISLAND, INC 27947 GROESBECK ROSEVILLE, MI 48066.

Reference P.A. 198 of Public Acts of 1974

Please take notice that on the 9TH day of December, 2014 at 7:00 p.m., local time, or as soon thereafter as may be heard, a public hearing will be held in the Civic Center Council Chambers, 29777 Gratiot Avenue, Roseville, Michigan on the petition 28370 Groesbeck, Roseville, Michigan 48066. The petitioner is requesting that an Industrial Facilities Exemption Certificate be issued to National Coney Island, Inc., at 27947 Groesbeck, Roseville, Michigan otherwise known as:

27947 Groesbeck- SEC 18 COM AT W 1/4 POST SEC 18; TH S89*49'E 554.65 FT TO POB; TH S89*49'E 703.64 FT; TH S30*33'W 489.67 FT; TH N89*48'W 534.66 FT; TH S77*45'W 200.0 FT; TH N30*20'E 539.08 FT TO POB; EXC PART TAKEN FOR ROAD

Also, subject to any and all easements of record, if any.

If the petition is granted, the petitioner will have the right to request an Industrial Facilities Exemption Certificate, which would provide for a partial tax exemption for up to twelve (12) years.

Any resident, taxpayer, or other interested person has the right to appear and be heard at the above-described meeting or to submit comments in writing in advance to the City Clerk, P.O. Box 290, Roseville, Michigan 48066.

Respectfully submitted,
RICHARD M. STEENLAND
City Clerk



City of Roseville

29777 GRATIOT, P.O. 290
ROSEVILLE, MICHIGAN 48066

November 7, 2014

TO: Scott Adkins, ICMA-CM
City Manager

FROM: Jason E. Friedmann, Director
Department of Community & Economic Development

RE: Industrial Development District &
Industrial Facilities Tax Exemption Certificate Application
National Coney Island
27947 Groesbeck
Parcel ID # 14-18-302-015

On October 17, 2014, the City of Roseville received a formal Application for the establishment of an Industrial Development District and an Industrial Facilities Tax Exemption Certificate from Mr. Daniel N. Roma, Chief Financial Officer of National Coney Island, for property located at 27947 Groesbeck.

The non-refundable \$1,000.00 application fee has been paid to the City of Roseville. Under the guidelines of Public Act 198 of 1974, this item requires a public hearing notice of not less than 10 days prior to the date of the hearing, which has been placed on the December 9, 2014 City Council Meeting Agenda.

The petitioner has submitted a detailed list of improvements totaling \$3,054,450.00 (\$999,150.00 in personal property and \$2,055,300.00 in real property) and is requesting a 12 year exemption.

National Coney Island currently produces chili at their manufacturing facility located on the Davison at Sherwood in the City of Detroit. The planned investment outlined above would allow the company to consolidate all of their operations at their current headquarters within the City of Roseville.

There are currently 18 employees at the Detroit facility, which will be relocated to the City of Roseville as a result of this project, and 2 new jobs are expected to be created within two years of completion. Under Public Act 198 of 1974, granting of an IFT results in the petitioner paying approximately 50% of the City's regular ad valorem tax rate. The request has been reviewed in accordance with the City's policy and is recommended for a 12 year abatement period for both real and personal property. Over the recommended 12 year period the petitioner would pay a total of \$176,201.07 (\$140,829.16 real property and \$35,371.91 personal property) less than the full rate.

CC: Richard Steenland, City Clerk
Brook Openshaw, City Assessor

Inter-Office-Memo

ASSESSORS OFFICE

TO: Scott Adkins, City Manager

FROM: Brook Openshaw, Assessing Department

DATE: 11/18/2014

**RE: National Coney Island IFT Application
27947 Groesbeck**

PLANT REHABILITATION AND INDUSTRIAL DEVELOPMENT DISTRICTS

Public Act 198 was enacted in 1974, it was designed to provide a stimulus in the form of significant tax incentives to industrial companies to renovate and expand aging plants, build new plants and promote establishment of research and development laboratories and retain employment. The granting of property tax incentives under the act is a local option left to the discretion of the legislative body of the local governmental unit. These incentives involve placing real or personal property assets on an industrial facility roll with a specific tax rate that is approximately half of the tax rate associated with an ad valorem assessment roll. Applications for an Industrial Facility Exemption Certificate (IFEC) come under H.B. 5120 that requires a written agreement between two parties as to performance.

APPLICANT INFORMATION

National Coney Island headquarters is located at 27947 Groesbeck. They currently occupy a commercial building containing a total of 73,798 sq. ft.

PROJECT INFORMATION

This proposed project is for a total investment of \$3,054,450 that will be used to purchase new machinery and equipment and make real property improvements. With the real property improvements National Coney Island will be able to relocate National Chili Company, Inc. into their corporate headquarters. National Chili Company has been in business since 1927 and produces one of the highest quality chili sauces in the country. National Chili Company is currently located in the City of Detroit and needs a new and modern facility to grow the business and meet the need of customers. 18 jobs will relocate from the Detroit facility and future growth plans will add a minimum of 4 positions over the next 4 years.

IFT District: 27947 Groesbeck	
Personal Property Investment:	\$999,150
Real Property Investment:	\$2,055,300

Based on the Personal Property Tax Incentive Scoring System National Coney Island, Inc. qualifies for a 12 year abatement.

Below is a breakdown of the City Taxes collected at 12 years:

<u>Year</u>	<u>PP Investment</u>	<u>STC Mult.</u>	<u>True Cash Value</u>		<u>Taxable Value</u>	<u>1/2 City Tax Rate</u> <u>\$11.42 per 1,000</u>
2015	\$999,150	0.89	\$889,244	50%	444,622	\$5,077.58
2016	\$999,150	0.76	\$759,354	50%	379,677	\$4,335.91
2017	\$999,150	0.67	\$669,431	50%	334,715	\$3,822.45
2018	\$999,150	0.60	\$599,490	50%	299,745	\$3,423.09
2019	\$999,150	0.54	\$539,541	50%	269,771	\$3,080.78
2020	\$999,150	0.49	\$489,584	50%	244,792	\$2,795.52
2021	\$999,150	0.45	\$449,618	50%	224,809	\$2,567.32
2022	\$999,150	0.42	\$419,643	50%	209,822	\$2,396.16
2023	\$999,150	0.38	\$379,677	50%	189,839	\$2,167.96
2024	\$999,150	0.36	\$359,694	50%	179,847	\$2,053.85
2025	\$999,150	0.33	\$329,720	50%	164,860	\$1,882.70
2026	\$999,150	0.31	\$309,737	50%	154,868	\$1,768.60
Total City Taxes Collected @ 12 Years						\$35,371.91

Based on the Real Property Tax Incentive Scoring System National Coney Island, Inc. qualifies for a 12 year abatement.

Real Property Investment est. @ taxable value of 1,027,650 for 12 years.
(Assuming stabilized real property value)

	<u>Taxable Value</u>	<u>1/2 City Tax Rate</u> <u>\$11.42 per 1,000</u>
2016	1,027,650	\$11,735.76
2017	1,027,650	\$11,735.76
2018	1,027,650	\$11,735.76
2019	1,027,650	\$11,735.76
2020	1,027,650	\$11,735.76
2021	1,027,650	\$11,735.76
2022	1,027,650	\$11,735.76
2023	1,027,650	\$11,735.76
2024	1,027,650	\$11,735.76
2025	1,027,650	\$11,735.76
2026	1,027,650	\$11,735.76
2027	1,027,650	\$11,735.76

Total City Taxes Collected @ 12 Years	\$140,829.16
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Real Property
Tax Incentive Scoring System

The Industrial Facilities Tax Exemption Review Committee will use the following evaluation system and the City of Roseville Tax Incentive Policy to make recommendations to the Roseville City Council regarding whether or not to establish a tax abatement district and if so, to determine the abatement term length for exemption certificates.

<u>REAL PROPERTY INVESTMENT</u>	<u>TERM LENGTH</u>
\$750,000 TO \$999,999	1 Year
\$1,000,000 TO \$1,999,999	3 Years
\$2,000,000 TO \$4,999,999	<u>5 Years</u>
\$5,000,000 OR GREATER	7 Years

<u>JOB CREATION</u>	<u>TERM LENGTH</u>
5 TO 25 JOBS	<u>1 Year</u>
26 OR MORE JOBS	2 Years

<u>JOB RETENTION</u>	<u>1 Year</u>
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<u>GROESBECK CORRIDOR</u>	<u>TERM LENGTH</u>
NORTH OF 12 MILE RD	1 YEAR
SOUTH OF 12 MILE RD	<u>3 YEARS</u>

<u>RELOCATION FROM ANOTHER COMMUNITY</u>	<u>1 YEAR</u>
<u>RELOCATION FROM ANOTHER STATE</u>	2 YEARS
<u>RELOCATION FROM OUTSIDE THE U.S.</u>	3 YEARS

<u>SPECIAL CONSIDERATION</u>	<u>3 YEARS*</u>
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(i.e. expansion within Roseville, training center, business incubator, headquarters)

*City Council may approve up to 3 years

TOTAL 12 YEARS

Personal Property
Tax Incentive Scoring System

The Industrial Facilities Tax Exemption Review Committee will use the following evaluation system and the City of Roseville Tax Incentive Policy to make recommendations to the Roseville City Council regarding whether or not to establish a tax abatement district and if so, to determine the abatement term length for exemption certificates.

<u>PERSONAL PROPERTY INVESTMENT</u>	<u>TERM LENGTH</u>
\$250,000 TO \$750,000	2 Years
\$751,000 TO \$2,000,000	<u>3 Years</u>
\$2,001,000 TO \$4,000,000	5 Years
\$4,001,000 TO \$8,000,000	8 Years
\$8,001,000 OR GREATER	10 Years

<u>JOB CREATION</u>	<u>TERM LENGTH</u>
5 TO 25 JOBS	<u>1 Year</u>
26 OR MORE JOBS	2 Years

<u>JOB RETENTION</u>	<u>1 Year</u>
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<u>GROESBECK CORRIDOR</u>	<u>TERM LENGTH</u>
NORTH OF 12 MILE RD	1 YEAR
SOUTH OF 12 MILE RD	<u>3 YEARS</u>

<u>RELOCATION FROM ANOTHER COMMUNITY</u>	<u>1 YEAR</u>
<u>RELOCATION FROM ANOTHER STATE</u>	2 YEARS
<u>RELOCATION FROM OUTSIDE THE U.S.</u>	3 YEARS

<u>SPECIAL CONSIDERATION</u>	<u>3 YEARS**</u>
(i.e. expansion within Roseville, training center, business incubator, <u>headquarters</u>)	

**City Council may approve up to 3 years

TOTAL 12 YEARS

**CITY OF ROSEVILLE
29777 GRATIOT AVENUE
ROSEVILLE, MI 48066**

(Attachment A)

**APPLICATION FOR ESTABLISHMENT
OF A PLANT REHABILITATION OR INDUSTRIAL DEVELOPMENT DISTRICT
P.A. 198 of 1974 as amended**

FILING FEE IS \$1,000 (Non-refundable)

City Assessor: 445-5430

City Clerk: 445-5440

City Treasurer: 445-5420

Please file original and 3 copies with City Clerk

1. Applicant (Company Name): National Coney Island, Inc.
Address of Proposed Project: _____

Address of Present Location: 27947 Groesbeck
Roseville, MI 48066

FILED/RECEIVED
2014 OCT 17 P 3: 22
RICHARD M. STEENLAND
ROSEVILLE CITY CLERK

2. Legal description of proposed district:

SEC 18 COM AT W 1/4 POST SEC 18; TH S89*49'E 554.65 FT TO POB; TH S89*49'E 703.64 FT; TH S30*33'W 489.67 FT;
TH N89*48'W 534.66 FT; TH S77*45'W 200.0 FT; TH N30*20'E 539.08 FT TO POB; EXC PART TAKEN FOR ROAD

3. Do you own the property? YES NO

IF NO: Option: _____ Purchase Agreement: _____
Other: _____ (Attach copy)

4. Type of District requested: Industrial Development:
Plant Rehabilitation: _____

5. Description of proposed project including product proposed to be manufactured, size and general description of project:

Our plan is to relocate National Chili Company, Inc., into our corporate headquarters facility in Roseville, MI. National Chili produces one of the highest quality chili sauces in the country and we supply both restaurants and retailers with our product. A new and modern facility is needed to grow the business. The tax abatement will assist making the project a reality. Upon completion, 18 jobs will relocate from our Detroit facility and future growth plans may add a minimum of 4 positions over the next 4 years.

6. Give an estimates cost of the following components for the proposed project:

Land Improvements (except land): \$295,000
Building Improvements: \$1,760,300
Machinery & Equipment: \$953,150
Furniture & Fixtures: \$16,000

If request for district establishment is granted, itemized cost figures will be required when application for Industrial Facilities Exemption Certificate is filed.

7. Time schedule for the start and completion of the construction and equipment installation:

	<u>START DATE</u>	<u>COMPLETION DATE</u>
Building:	<u>4/1/15</u>	<u>04/01/17</u>
Equipment Installation:	<u>6/1/15</u>	<u>06/01/1</u>

8. Will items be owned or leased by the applicant?

	<u>OWNED</u>	<u>LEASED</u>
Building:	<u>X</u>	<u> </u>
Equipment Installation:	<u>X</u>	<u> </u>

If either item above will be leased, applicant must be responsible for the taxes in order to apply for Exemption Certificate. A complete copy of the leases will be required when application for Industrial Facilities Exemption Certificate is filed.

9. How many employees do you currently have? 18
How many employees will you have when this project is completed? 18

10. When the project is completed what number of employees will be:

Management/Professional	<u>5</u>
Skilled	<u>4</u>
Semi-skilled.....	<u>6</u>
Unskilled	<u> </u>
Office	<u>3</u>
Total Estimated payroll	<u>\$930,000</u>

11. If this request is for a Plant Rehabilitation District, please complete the following:

Current Year S.E.V. of Personal Property
Current Year S.E.V. of Real Property
(excluding land)

DATE: 10/17/14

NAME OF COMPANY OFFICER Daniel Roma

TITLE Chief Financial Officer

SIGNATURE 

Application for Industrial Facilities Tax Exemption Certificate

Issued under authority of Public Act 198 of 1974, as amended. Filing is mandatory.

INSTRUCTIONS: File the original and two copies of this form and the required attachments (three complete sets) with the clerk of the local government unit. The State Tax Commission (STC) requires two complete sets (one original and one copy). One copy is retained by the clerk. If you have any questions regarding the completion of this form, call (517) 373-3302.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	Date Received by Local Unit
STC Use Only	
Application Number	Date Received by STC

APPLICANT INFORMATION

All boxes must be completed.

1a. Company Name (Applicant must be the occupant/operator of the facility) National Coney Island, Inc.	1b. Standard Industrial Classification (SIC Code - Sec. 2(10)) (4 or 6 Digit Code) 722110
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 27947 Groesbeck, Roseville, MI 48066	1d. City/Township/Village (indicate which) City of Roseville
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(5)) <input type="checkbox"/> Transfer <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(6)) <input type="checkbox"/> Research and Development (Sec. 2(10)) <input type="checkbox"/> Increase/Amendment	3a. School District where facility is located Roseville
	3b. School Code 50030
	4. Amount of years requested for exemption (1-42 Years) 12 Years

5. Per section 5, the application shall contain or be accompanied by a general description of the facility and a general description of the proposed use of the facility, the general nature and extent of the restoration, replacement, or construction to be undertaken, a descriptive list of the equipment that will be part of the facility. Attach additional page(s) if more room is needed.

We are excited to present to the City of Roseville our plan to relocate National Chili Company, Inc., into our corporate headquarters facility in Roseville, MI. National Chili produces one of the highest quality chili sauces in the country and we supply both restaurants and retailers with our product. National Chili has been in its current location since the 1920's and owned by the Giftos Family since the 1960's. The facility has reached its peak capacity and a new and modern facility is needed to grow the business and meet the needs of our customers. The tax abatement will assist us in making the project a reality in Roseville and in what is notably the birth place of our related business, National Coney Island. Upon completion, 18 jobs will relocate from our Detroit facility and future growth plans we believe will add a minimum 4 positions over the next 4 years.

6a. Cost of land and building improvements (excluding cost of land)	2,055,300.00
* Attach list of improvements and associated costs.	Real Property Costs
* Also attach a copy of building permit if project has already begun.	
6b. Cost of machinery, equipment, furniture and fixtures	999,150.00
* Attach itemized listing with month, day and year of beginning of installation, plus total	Personal Property Costs
6c. Total Project Costs	3,054,450.00
* Round Costs to Nearest Dollar	Total of Real & Personal Costs

7. Indicate the time schedule for start and finish of construction and equipment installation. Projects must be completed within a two year period of the effective date of the certificate unless otherwise approved by the STC.

	Begin Date (M/D/Y)	End Date (M/D/Y)	
Real Property Improvements	04/01/15	04/01/17	<input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements	04/01/15	04/01/17	<input checked="" type="checkbox"/> Owned <input type="checkbox"/> Leased

8. Are State Education Taxes reduced or abated by the Michigan Economic Development Corporation (MEDC)? If yes, applicant must attach a signed MEDC Letter of Commitment to receive this exemption. Yes No

9. No. of existing jobs at this facility that will be retained as a result of this project. 18	10. No. of new jobs at this facility expected to create within 2 years of completion. 2
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11. Rehabilitation applications only: Complete a, b and c of this section. You must attach the assessor's statement of SEV for the entire plant rehabilitation district and obsolescence statement for property. The Taxable Value (TV) data below must be as of December 31 of the year prior to the rehabilitation.

a. TV of Real Property (excluding land)

b. TV of Personal Property (excluding inventory)

c. Total TV

12a. Check the type of District the facility is located in:

Industrial Development District Plant Rehabilitation District

12b. Date district was established by local government unit (contact local unit)	12c. Is this application for a speculative building (Sec. 3(8))? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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APPLICANT CERTIFICATION - complete all boxes.

The undersigned, authorized officer of the company making this application certifies that, to the best of his/her knowledge, no information contained herein or in the attachments hereto is false in any way and that all are truly descriptive of the industrial property for which this application is being submitted.

It is further certified that the undersigned is familiar with the provisions of P.A. 198 of 1974, as amended, being Sections 207.551 to 207.572, inclusive, of the Michigan Compiled Laws; and to the best of his/her knowledge and belief, (s)he has complied or will be able to comply with all of the requirements thereof which are prerequisite to the approval of the application by the local unit of government and the issuance of an Industrial Facilities Exemption Certificate by the State Tax Commission.

13a. Preparer Name Daniel Roma	13b. Telephone Number 586-771-7744	13c. Fax Number 586-771-9578	13d. E-mail Address droma@nationalconeyisland.com
14a. Name of Contact Person Daniel Roma	14b. Telephone Number 586-771-7744	14c. Fax Number 586-771-9578	14d. E-mail Address droma@nationalconeyisland.com
▶ 15a. Name of Company Officer (No Authorized Agents) Daniel Roma, Chief Financial Officer			
▶ 15b. Mailing Address (Street, City, State, ZIP Code) 27947 Groesbeck, Roseville, MI 48066		15c. Fax Number 586-771-9578	15d. Date 10/17/14
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 27947 Groesbeck, Roseville, MI 48066		15f. Telephone Number 586-771-9578	15g. E-mail Address droma@nationalconeyisland.com

LOCAL GOVERNMENT ACTION & CERTIFICATION - complete all boxes.

This section must be completed by the clerk of the local governing unit before submitting application to the State Tax Commission. Check items on file at the Local Unit and those included with the submittal.

▶ 16. Action taken by local government unit <input type="checkbox"/> Abatement Approved for _____ Yrs Real (1-12), _____ Yrs Pers (1-12) After Completion <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Denied (Include Resolution Denying)	16b. The State Tax Commission Requires the following documents be filed for an administratively complete application: Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input type="checkbox"/> 2. Resolution establishing district <input type="checkbox"/> 3. Resolution approving/denying application. <input type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input type="checkbox"/> 7. Equipment List with dates of beginning of installation <input type="checkbox"/> 8. Form 3222 (if applicable) <input type="checkbox"/> 9. Speculative building resolution and affidavits (if applicable)
16a. Documents Required to be on file with the Local Unit Check or Indicate N/A if Not Applicable <input type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. LUCI Code	16d. School Code
17. Name of Local Government Body	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original application and all documents listed in 16b. I also certify that all documents listed in 16a are on file at the local unit for inspection at any time, and that any leases show sufficient tax liability.

19a. Signature of Clerk	19b. Name of Clerk	19c. E-mail Address
19d. Clerk's Mailing Address (Street, City, State, ZIP Code)		
19e. Telephone Number	19f. Fax Number	

State Tax Commission Rule Number 57: Complete applications approved by the local unit and received by the State Tax Commission by October 31 each year will be acted upon by December 31. Applications received after October 31 may be acted upon in the following year.

Local Unit: Mail one original and one copy of the completed application and all required attachments to:

Michigan Department of Treasury
State Tax Commission
PO Box 30471
Lansing, MI 48909

(For guaranteed receipt by the STC, it is recommended that applications are sent by certified mail.)

STC USE ONLY				
▶ LUCI Code	▶ Begin Date Real	▶ Begin Date Personal	▶ End Date Real	▶ End Date Personal

**APPLICATION
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE
ATTACHMENT - SECTION 6A**

**ATTACHMENT TO 6A - COST OF BUILDING
BUILDERS ESTIMATE**

National Coney Island, Inc.
27947 Groesbeck
Roseville, MI 48066

COST OF LAND IMPROVEMENTS	Estimated	
	Installation Date	Cost
Site Work	4/1/15	\$113,000
Earthwork	4/1/15	\$42,000
Concrete	5/1/15	\$43,000
Interior Curb	6/1/15	\$97,000
TOTAL COST		\$295,000

COST OF BUILDING	Estimated	
	Installation Date	Cost
Masonry Walls	6/1/15	\$42,000
Structural Steel	5/1/15	\$90,000
Interior Offices	6/1/15	\$74,500
Insulated Panels	7/1/15	\$354,200
Roof	7/1/15	\$44,000
Door and Window	7/1/15	\$36,800
Cooler Doors	7/1/15	\$145,000
Interior Finishes	7/1/15	\$16,800
Fire Protection	7/1/15	\$45,000
Bathrooms	6/1/15	\$40,000
Floor Drains	5/1/15	\$25,000
HVAC	5/1/15	\$419,000
Test Kitchen	7/1/15	\$150,000
Warehouse Upgrades	4/1/15	\$60,000
Electrical	6/1/15	\$218,000
TOTAL COST		\$1,760,300

GRAND TOTAL: REAL PROPERTY - \$2,055,300.00
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IFEC APPLICATION - ATTACHMENT (Sec. 6B)
 APPLICANT COMPANY: NATIONAL CONEY ISLAND, INC.

MACHINERY & EQUIPMENT Page 1 of 1

COLUMN I	COLUMN II	COLUMN III	COLUMN IV	COLUMN V	COLUMN VI	COLUMN VII
Original Estimated Cost	Expected Installation Date	Original List Description	Actual Purchase Date	Actual Intallation Date	Actual Description on Detrociation Schedule	Actual Cost
24,000	7/1/2015	Storage Racks				
1,700	7/1/2015	SS Trim Table				
41,000	7/1/2015	Grinder				
39,000	7/1/2015	Flaker				
1,500	7/1/2015	Scale				
300,000	7/1/2015	4 Kettles				
15,000	7/1/2015	Product Pump				
1,000	7/1/2015	Platform				
100,000	7/1/2015	Filler				
11,500	7/1/2015	Metal Dectector				
151,300	7/1/2015	Clipper				
10,000	7/1/2015	Package Printer				
50,000	7/1/2015	Case Erector				
12,000	7/1/2015	Pallet Wrapper				
14,000	6/1/2015	Hot Water Tank				
154,000	6/1/2015	Steam Generator				
4,500	6/1/2015	Air Compressor				
1,200	7/1/2015	SS Table				
750	7/1/2015	Table Scale				
6,500	7/1/2015	Floor Scale				
9,000	7/1/2015	Freezer				
5,200	7/1/2015	Cooler				
\$ 953,150	PAGE TOTALS					

PAGE TOTAL: \$953,150

GRAND TOTAL - PERSONAL PROPERTY = \$999,150.00

LETTER OF AGREEMENT

October 15, 2014

City Clerk
City of Roseville
29777 Gratiot Ave.
P.O. Box 290
Roseville, MI 48066

RE: Agreement with the City of Roseville

Dear Mr. Richard M. Steenland,

National Coney Island, Inc. (the "Company") has submitted an application to you for the granting of an Industrial Facilities Exemption Certificate (IFT) pursuant to Michigan Public Acts of 1974, as amended.

To encourage the granting of the IFT and in recognition of the investment of the City of Roseville (the "Municipality") will be making toward the economic growth of the Company, and thus, the economic growth of the Municipality, I hereby agree on behalf of the Company to the following:

1. No later than the 10th day of January immediately following the second year after the issuance date of the IFT, and if applicable, the Company shall submit a letter to the Municipality stating:
 - a. The number of new jobs promised in the IFT application within a two-year period and the actual number of new jobs created.
 - b. If IFT is granted on the basis of job retention, the number of employees at the time of the application and the current number of employees.
 - c. If projection for creation or retention of jobs was not reached, give explanation.
 - d. The estimated project cost given in the application and actual project cost.
 - e. If actual project costs differ substantially from projected cost, give explanation.

2. The Company further agrees to submit a report regarding status of employment no later than the 10th day of January following the issuance of the IFT for the 5th, 8th, and 12th year anniversary date, whichever are applicable. In the event tax abatement is issued for a period of less than twelve years a report shall be due no later than the 10th of January immediately following the last year of the IFT. If employment has not remained or exceeded the number given in the application, an explanation for this shall be included. This report shall be submitted beginning with the fourth year after the issuance date of the IFT.

The Company understands that if employment has not been retained or reached as stated in the application or the construction and/or expansion project has not been completed or expenditures made as described in the application, the governing body has the right to reduce the term or revoke the IFT.

3. The Company understands that if it chooses to leave the Municipality without permission for relocation prior to end of the term of the IFT, the governing body has the right to recapture from the Company up to and included the total amount of the taxes abated by the IFT.

In the event the Company leaves the Municipality or in the event at the end of two years, project costs and employee projections have not been complied within eight-five (85%) percent, or in the event thereafter cost projections are not complied with or job projections are not complied with other than for reasons of economic necessity, or other valid reasons as determined by the Municipality, the Municipality in its sole discretion may recapture the entire amount of taxes abated by the IFT or take other action, including but not limited to reduction in the term, or recapture in part of previous taxes abated. In the event the project costs and employee projections have not been complied with, the Municipality shall notify the Company in writing and schedule the hearing no earlier than forty-five days following such notice before the City Council prior to the Municipality exercising any of the remedies herein. The Company shall be entitled to present additional documentation, information and explanations regarding alleged non-compliance. In the event the Municipality elects to recapture taxes previously abated by the IFT, the Municipality shall prepare and record a lien against the property for the total amount of taxes previously abated, plus interest at the rate of eight (8%) percent per annum compounded annually from the time the lien was recorded until it is paid. The lien shall be payable in full at any time the property or any portion thereon is sold or transferred. In addition, payments shall be collected in the same manner as ad valorem real property taxes annually with the December tax bill in equal installments computed by dividing the outstanding abated taxes by the number of years or fraction thereof during the tax abatement occurred.

By signatures of both the Company and Municipality below, it is understood that both the Company's investments in the project and the Municipality's investment through the granting of an IFT is to encourage the economic growth of all. It is also acknowledged that certain economic conditions can, at times, prohibit the maintenance of the Company's targeted status. It

is understood that if such conditions exist at the time of the designated Company's reports, the governing body of the Municipality will carefully evaluate the Company's situation and will inform the Company if any action is considered in order to give the Company an opportunity for correction.

WITNESSES:

MICHAEL CONNORS

National Coney Island, Inc.

By: Daniel Roma
Title: Chief Financial Officer
Dated: 10/19/14

WITNESSES:

By: _____
Its: Mayor
Dated: _____

WITNESSES:

By: _____
Its: Clerk
Dated: _____

INDUSTRIAL FACILITIES EXEMPTION APPLICATION AFFIDAVIT OF FEES

In accordance with State Tax Commission Bulletin No. 3 dated January 1998, the Local Unit and Applicant for Industrial Facilities Exemption Certificate do hereby swear and affirm that no payment of any kind, whether they be referred to as "fees," "payments in lieu of taxes," "donations," or by other like terms, such payments are contrary to the legislative intent of Act 198 that exemption certificates have the effect of abating all ad valorem property taxes levied by taxing units with the unit of local government which approves the certificate.

We do swear and affirm by our signatures below that "no payment of any kind in excess of the fee allowed, as amended by Public Act 323 of 1996, has been made or promised in exchange for favorable consideration of an exemption certificate application."

City/Township/Village of: Roseville

Signed: _____

Print Name: _____

Title: _____

Dated: _____

Applicant: National Coney Island, Inc.

Signed: _____

Print Name: Daniel Roma

Title: Chief Financial Officer

Dated: 10/17/14

National Coney Island, Inc.

LEGAL DESCRIPTION

27947 Groesbeck
Roseville, MI 48066

Industrial Facilities Tax Exemption Application

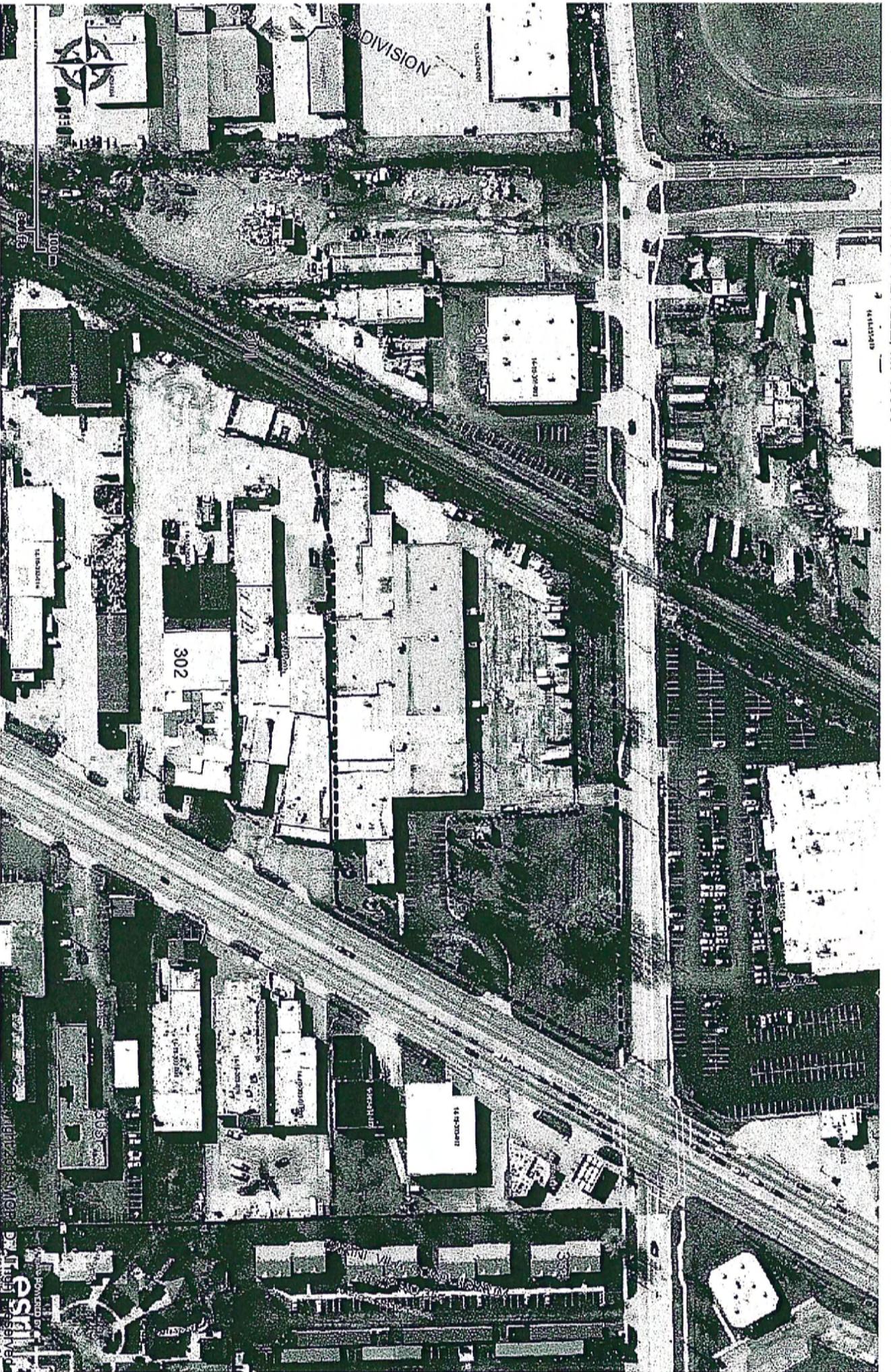
Parcel Identification Number: 14-18-302-015

Legal Description:

SEC 18 COM AT W 1/4 POST SEC 18; TH S89*49'E 554.65 FT TO POB; TH S89*49'E
703.64 FT; THS30*33'W 489.67 FT; TH N89*48'W 534.66 FT; TH S77*45'W 200.0 FT;
TH N30*20'E 539.08 FT TO POB; EXC PART TAKEN FOR ROAD

National Coney Island

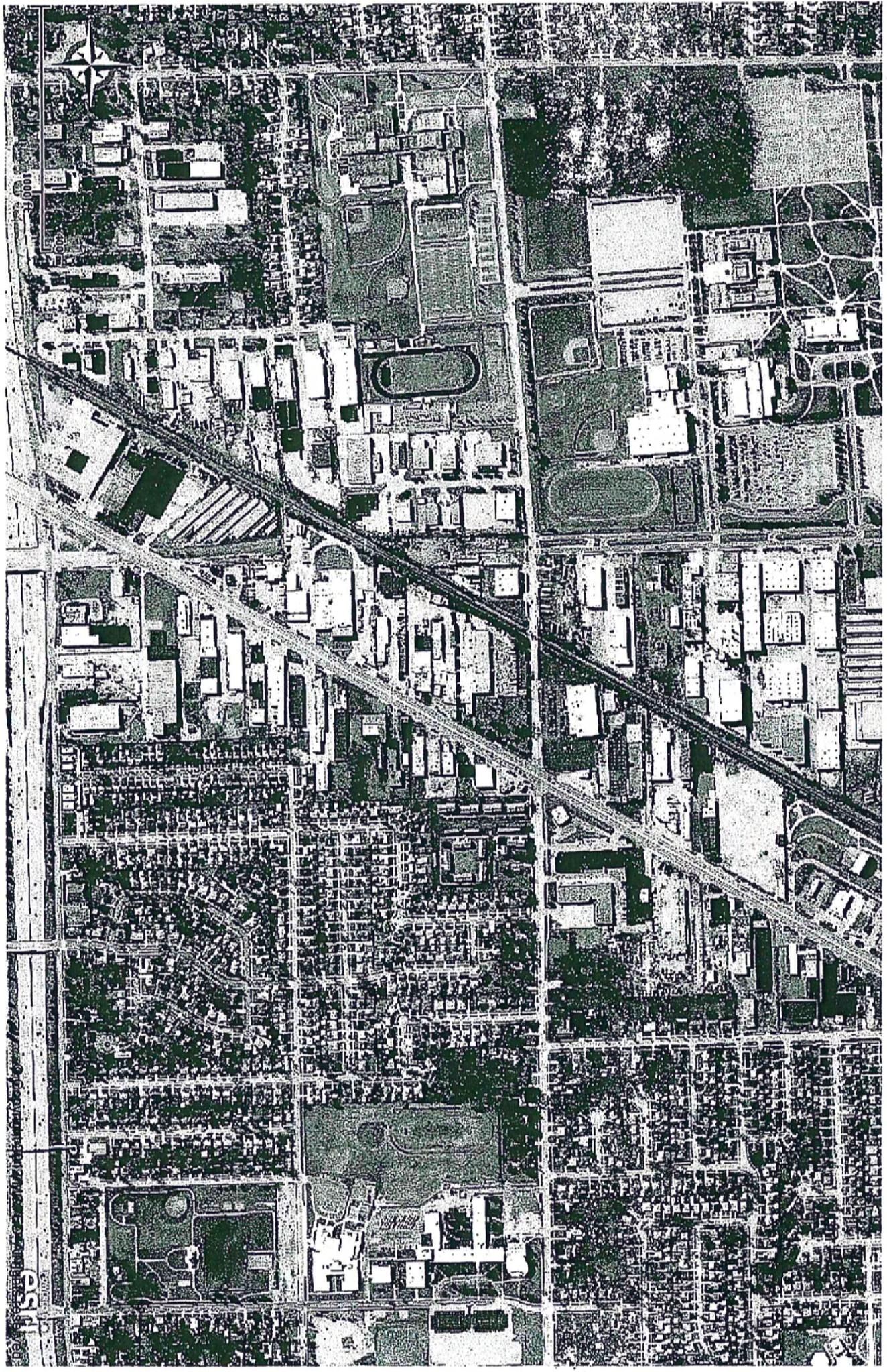
27947 GROESBECK HWY, ROSEVILLE, MI 48066



Wed Oct 15 2014 11:06:17 AM.

National Coney Island

27947 GROESBECK HWY. ROSEVILLE, MI 48066



Wed Oct 15 2014 11:07:17 AM

asht

**TO BE FILED WITH CED
INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE (IFT)**

****ANY IFT APPLICATION RECEIVED AFTER OCT. 5th WILL BE PROCESSED FOR THE NEXT FISCAL YEAR** - [OCT. 31st is the State Dept of Treasury Deadline for Submittals]**

IFT and Amendment request:

Both requests are handled in the same manner. Application/Letter of request (amendment), Public Hearing, resolution and filed with the State of Michigan before 10-31-(current year) for consideration.

Date Received: 10.17.2014

Company Name: NATIONAL CONEY ISLAND, INC.

Number of years requested for abatement:

REAL PROPERTY IMPROVEMENTS

- | | |
|--|-----------|
| 1. COMPANY REAL PROPERTY IFT REQUEST | <u>12</u> |
| 2. IFT (REAL) POLICY SCORING RECOMMENDATION: | <u>12</u> |
| 3. COUNCIL ACTION: | _____ |

PERSONAL PROPERTY IMPROVEMENTS

- | | |
|--|-----------|
| 1. PERSONAL PROPERTY RECOMMENDATION: | <u>12</u> |
| 2. IFT (PERSONAL) POLICY SCORING RECOMMENDATION: | <u>12</u> |
| 3. COUNCIL ACTION: | _____ |

The account number for IFT deposits (\$1000.00) is: 101-101-451-000
Place a copy into application file.

State Tax Commission: Heather Burris (517) 313-3302 or email: BurrisH@michigan.gov

Two resolutions must be approved by the Council; Establish IDD & Approve IFT Application/ Term

Date IDD was established, if applicable: Date: 12.09.2014 EST: 12.09.2014

1. To establish the Industrial Development District.
2. To approve the application for Industrial Facilities Exemption Certificate.

Examples of these are in the IFT files folder in the bottom shelf of the Clerk's cabinet. Samples are also attached to this check sheet and portions are highlighted that need to be complete

CHECKLIST for IFT – CED to check application for completeness

A. Applicant will present an Original and four copies along with check for \$1,000.00 to CED.

- ✓ 1. Check deposited into _____ (Staple copy of receipt to inside of file cover)
- ✓ 2. Original copy to the CED Office
- ✓ 3. One to City Manager
- ✓ 4. One to Clerk's Office
- ✓ 5. Make a copy of packet for Assessor's office
- ✓ 6. Copy of top two sheets to Treasures Office for informational purposes.

B. Items contained in the application packet from requesting company. (Place Original file folder and label with name, address and date of request. When approved and completed; place in file cabinet with other IFT folders.)

- ✓ 1. Application for Establishment of a Plant Rehabilitation or Industrial Development District (IDD). This is completed by the Applicant and signed by the company officer. Applicant completes their portion; City Clerk will complete Local Government Action & Certification upon resolution approval.
- ✓ 2. Machinery & Equipment list. Itemization of equipment to be purchased.
- ✓ 3. General Property Information. (Assessor statement with Legal Information)
- ✓ 4. Aerial map copy showing property location.
- ✓ 5. Industrial Facilities Exemption Application, Affidavit of Fees on City letterhead showing signature from City of Roseville and Application's signature.
- ✓ 6. Application for Industrial Facilities Tax Exemption Certificate (IFTE). Letter of Agreement from City to Company or Company to City on letterhead with city's terms listed. Signed by Company president or owner, Mayor and City Clerk and each shall be witnessed.
- 7. Memo of recommendation from Assessor to Manager's Office/CED.

C. City Manager's office will set the date for City Council meetings to hold a Public Hearing for the establishment/application of IFT and to pass a resolution to establish the Industrial Development District (IDD) and approve the Industrial Facilities Exemption Certificate (IFEC). Steps for Approval:

1) Special Meeting for review, presentation, and recommendation from Council for term (To be approved at the Final Public Hearing & Approval /Regular Council Meeting; adopting recommendations from Special Council Meeting)

1A) Special Council Meeting Council recommendation: Date: 11.18.2014

REAL Term: _____
PERSONAL Term: _____

2) Regular Council Meeting to set date for Public Hearing: Date: _____

3) Regular Council Meeting for Public Hearing & Approval: Date: 12.09.2014

CLERK'S OFFICE

- D. After the date is set, not less than 10 and no more than 30 days before the meeting, a public notice shall be placed in the Eastsider to advertise the establishment of the IDD and approval of the application for ITEC.

NOTE: This notice states the time, date and place of the public hearing as well as the property legal description. The number of years requested must also be shown on the Notice of Public Hearing. Maintain a copy of this notice in file.

Notice sent to Eastsider: Date: _____

Notice published in Eastsider: Date: _____

- E. Send a copy of the Notice of Public Hearing to the taxing authorities and interested parties on the mailing list by certified mail with return receipt mail. Maintain a copy of list.

Certified Notices mailed: Date: _____

- F. After the hearing, do the resolution and have three (3) originals signed and send to:
1. Manager's office
 2. Clerk's Resolution file
 3. State of Michigan original packet

Clerk's Office does the following:

- G. Make five (5) photocopies of the resolution:
1. State of Michigan copy packet
 2. Assessor's Office
 3. Treasurer's Office
 4. Applicant's IFT folder in Clerk's office
 5. Macomb County Economic Development (Copy resolution & completed application)

CED does the following:

- H. Assemble the packet to send to the State:
1. Complete the areas on the application that need to be filled out by the Clerk's Office.
 2. Get a date from the Assessor for page 4 of the application where it asks for the number of years for which the abatement is approved.
 3. Assemble all documents. Make two (2) copies (for State and one for City) Send the original and one copy to the State Tax Commission. They keep the original and send the copy on to the Michigan Economic Development Corporation.
 4. Send cover letter with original and copy to State of Michigan.
- I. When the certificate comes to Assessor, give a **copy** to the CED for main file. When file is completed – original file will be filed with the Clerk's Office.

NOTES:

Date sent to the State of Michigan: _____

IFT Certificate was received on: _____