



CITY COUNCIL ACTION REPORT

August 18, 2008

TO: Phillip L. Nelson, City Manager

FROM: John M. Lamerato, Assistant City Manager-Finance/Administration
Brian Murphy, Assistant City Manager – Economic Development Services
Nino Licari, City Assessor

SUBJECT: Public Hearing for Establishment of an Industrial Development District (IDD) for Faurecia Automotive Seating, Inc., 2350 Meijer, Troy MI. 48084

Background:

- Faurecia Automotive Seating, Inc., is requesting the creation of an Industrial Development District (IDD) at 2350 Meijer, Troy, MI. 48084, in order to apply for an Industrial Facilities Exemption Certificate (IFEC), for tax abatement at the same location.

The exemption is for new equipment to handle increased business. They are receiving MEDC incentives, and a tax abatement from Auburn Hills for the expansion there and in Troy.

They currently have 339 employees in Troy. They plan to add up to 47 new jobs to Troy with this project.

The abatement requested is for eight (8) years, to match the abatement received from Auburn Hills.

The IDD and the IFEC do require separate Public Hearings, unless the local unit has delineated all areas where IDD's may locate, in advance. Council's policy is to set the district as each application is received. For this reason, the bulk of the information for this application is presented with the District public hearing.

Financial Considerations:

- The estimated amount of investment in personal property is \$1,145,000 for the project. Over an eight (8) year life, the estimated total taxes are \$50,818.91, of which \$16,110.28 would be City taxes.

A 50% abatement amounts to a savings of \$25,409.45 in total taxes, of which \$8,055.14 would be saved on City taxes. This is the financial cost to all taxing authorities.

Legal Considerations:

- The application meets all requirements of Public Act 198 of 1974 (as amended), the Plant Rehabilitation and Industrial Development Districts legislation.

Policy Considerations:

- The application is in compliance with the amended tax abatement policy of the City Council of the City of Troy (Resolution #2006-06-238, attached).

City Council Outcome III, "Troy is rebuilding for a healthy economy reflecting the values of a unique community in a changing and interconnected world." "Retain and attract investment while encouraging redevelopment" is met with this expansion.

Since both legal and policy considerations are met, staff would recommend establishing the District.

Options:

- City Council has the option to establish an Industrial Development district, or not. If Council does not establish a District, then no Exemption can be granted. A public hearing is still necessary to deny the exemption.

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 or would like to request an informational packet, call (517) 373-3272.

To be completed by Clerk of Local Government Unit	
Signature of Clerk	Date received by Local Unit 8/18/08
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) Faurecia Automotive Seating, Inc.		1b. Standard Industrial Classification (SIC) Code - Sec. 2(10) (4 or 6 Digit Code) 3363	
1c. Facility Address (City, State, ZIP Code) (real and/or personal property location) 2350 Meijer Dr., Troy, Michigan 48084		1d. City/Township/Village (indicate which) Troy	1e. County Oakland
2. Type of Approval Requested <input checked="" type="checkbox"/> New (Sec. 2(4)) <input type="checkbox"/> Transfer (1 copy only) <input type="checkbox"/> Speculative Building (Sec. 3(8)) <input type="checkbox"/> Rehabilitation (Sec. 3(1)) <input type="checkbox"/> Research and Development (Sec. 2(9))		3a. School District where facility is located Troy	3b. School Code 63150
		4. Amount of years requested for exemption (1-12 Years) 8	

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.

See attached.

6a. Cost of land and building improvements (excluding cost of land) * Attach list of improvements and associated costs. * Also attach a copy of building permit if project has already begun.	Real Property Costs
6b. Cost of machinery, equipment, furniture and fixtures * Attach itemized listing with month, day and year of beginning of installation, plus total	\$1,145,000.00
6c. Total Project Costs * Round Costs to Nearest Dollar	Personal Property Costs \$1,145,000.00 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.

	<u>Begin Date (M/D/Y)</u>	<u>End Date (M/D/Y)</u>	
Real Property Improvements	1/1/09	12/31/10	<input type="checkbox"/> Owned <input type="checkbox"/> Leased
Personal Property Improvements			<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. **339** 10. No. of new jobs at this facility expected to create within 2 years of completion. **47**

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))?
 Yes No

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 Dave Borysiak	13b. Telephone Number (419) 727-5442	13c. Fax Number (419) 727-5350	13d. E-mail Address dave.borysiak@faurecia.com
14a. Name of Contact Person Mike Kamsickas	14b. Telephone Number (248) 409-3932	14c. Fax Number (248) 409-3519	14d. E-mail Address mike.kamsickas@faurecia.com
▶ 15a. Name of Company Officer (No Authorized Agents) Bill Gleeson			
15b. Signature of Company Officer (No Authorized Agents) <i>William B. Gleeson</i>		15c. Fax Number (248) 409-3519	15d. Date 8/15/08
▶ 15e. Mailing Address (Street, City, State, ZIP Code) 2050 Auburn Road, Auburn Hills, MI 48326		15f. Telephone Number (248) 409-3921	15g. E-mail Address william.gleeson@faurecia.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 checked="" type="checkbox"/> 1. Original Application plus attachments, and one complete copy <input checked="" type="checkbox"/> 2. Resolution establishing district <input checked="" type="checkbox"/> 3. Resolution approving/denying application. <input checked="" type="checkbox"/> 4. Letter of Agreement (Signed by local unit and applicant) <input checked="" type="checkbox"/> 5. Affidavit of Fees (Signed by local unit and applicant) <input checked="" type="checkbox"/> 6. Building Permit for real improvements if project has already begun <input checked="" type="checkbox"/> 7. Equipment List with dates of beginning of installation <input checked="" type="checkbox"/> 8. Form 3222 (if applicable) <input checked="" 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 checked="" type="checkbox"/> 1. Notice to the public prior to hearing establishing a district. <input checked="" type="checkbox"/> 2. Notice to taxing authorities of opportunity for a hearing. <input checked="" type="checkbox"/> 3. List of taxing authorities notified for district and application action. <input checked="" type="checkbox"/> 4. Lease Agreement showing applicants tax liability.	
16c. LUCI Code 3363	16d. School Code 63150
17. Name of Local Government Body CITY OF TROY	▶ 18. Date of Resolution Approving/Denying this Application

Attached hereto is an original and one copy of the 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.

19a. Signature of Clerk <i>TOMMI BARTHOLOMEW</i>	19b. Name of Clerk TOMMI BARTHOLOMEW	19c. E-mail Address T.BARTHOLOMEW@TROYMI.GOV
19d. Clerk's Mailing Address (Street, City, State, ZIP Code) 500 W BIG BEAVER TROY MI 48064-5254		
19e. Telephone Number 248 524 3316	19f. Fax Number 248 524 1770	

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:

**State Tax Commission
Michigan Department of Treasury
P.O. Box 30471
Lansing, MI 48909-7971**

(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

FAURECIA AUTOMOTIVE SEATING, INC
APPLICATION FOR INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE
LINE 5, PROJECT DESCRIPTION

Faurecia Automotive Seating, Inc. ("Faurecia") currently has 339 employees located at 2350, 2370, 2380, 2400 and 2500 Meijer Drive in Troy. These employees consist of professional, managerial, engineering, technical and clerical support, who together manage Faurecia's North American Region (US, Canada and Mexico) automotive seating business, and provide technical support to twelve seating plants located across the region. Faurecia's North American customers include GM, Ford, Chrysler, BMW and Honda, and its annual sales of automotive seating systems exceed \$1 billion. Faurecia has three other divisions located in North America: exhaust systems, interior systems and front end modules, so that its combined sales across all divisions is about \$3 billion annually.

During the five year period 2009 - 2013, Faurecia forecasts further expansion of its North American operations. This is based on acquisition of new supplier contracts, additional product validation requirements, transfer of white collar functions from Canada to the US, and design and development of new automotive component platform systems which will be manufactured and sold in North America, Europe and Asia.

This business expansion will entail roughly \$3 million of new capital spending during 2009 - 2013 for computer, CAD, and testing & validation equipment, along with the hiring of 77 new white collar employees representing over \$5 million of additional annual compensation including salary and benefits.

For purposes of defining a two-year project per line 7 of the application, Faurecia expects to hire 47 new employees during the 2009 - 2010 "project period" and the 30 remaining during 2011 - 2013. New capital spending is forecast at \$1.145 million during 2009 - 2010, and \$1.855 million during 2011 - 2013.

Faurecia operates three technical centers in the US: Meijer Drive in Troy; Auburn Hills, Michigan and Toledo, Ohio. Faurecia is currently reviewing the cost feasibility of locating the new employees at each of these three technical center facilities. Because the State of Ohio does not tax personal property used in a business, Faurecia requests partial tax equalization from the City of Troy via 50% IFT treatment for forecasted new capital spending.

FAURECIA AUTOMOTIVE SEATING, INC
APPLICATION FOR INDUSTRIAL FACILITIES TAX EXEMPTION CERTIFICATE
LINE 6b. DETAIL OF FORECASTED NEW CAPITAL SPENDING

I. OFFICE FURNITURE

2009:	\$25,000
2010:	<u>\$25,000</u>
Total	\$50,000

**II. PERSONAL COMPUTER HARDWARE AND SOFTWARE
INCLUDING SPECIALIZED ENGINEERING (CAD) EQUIPMENT**

2009:	\$360,000
2010:	<u>\$370,000</u>
Total	\$730,000

III. ENGINEERING TESTING AND VALIDATION EQUIPMENT

2009:	\$180,000
2010:	<u>\$185,000</u>
Total	\$365,000

Applicant Name Faurecia Automotive Seating Inc

Fiscal Statement (to be completed by local unit)

- | | <u>YES</u> | <u>NO</u> |
|--|-------------------------------------|-------------------------------------|
| Is this project: | | |
| Real Property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Personal Property? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Both Real and Personal Property - New Facility? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Both Real and Personal Property - Rehabilitation Facility? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Both New and Replacement Facility? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Estimated Project Investment (not assessed value):

Real Property \$0.00	Personal Property \$1,145,000.00	Total \$1,145,000.00
-------------------------	-------------------------------------	-------------------------

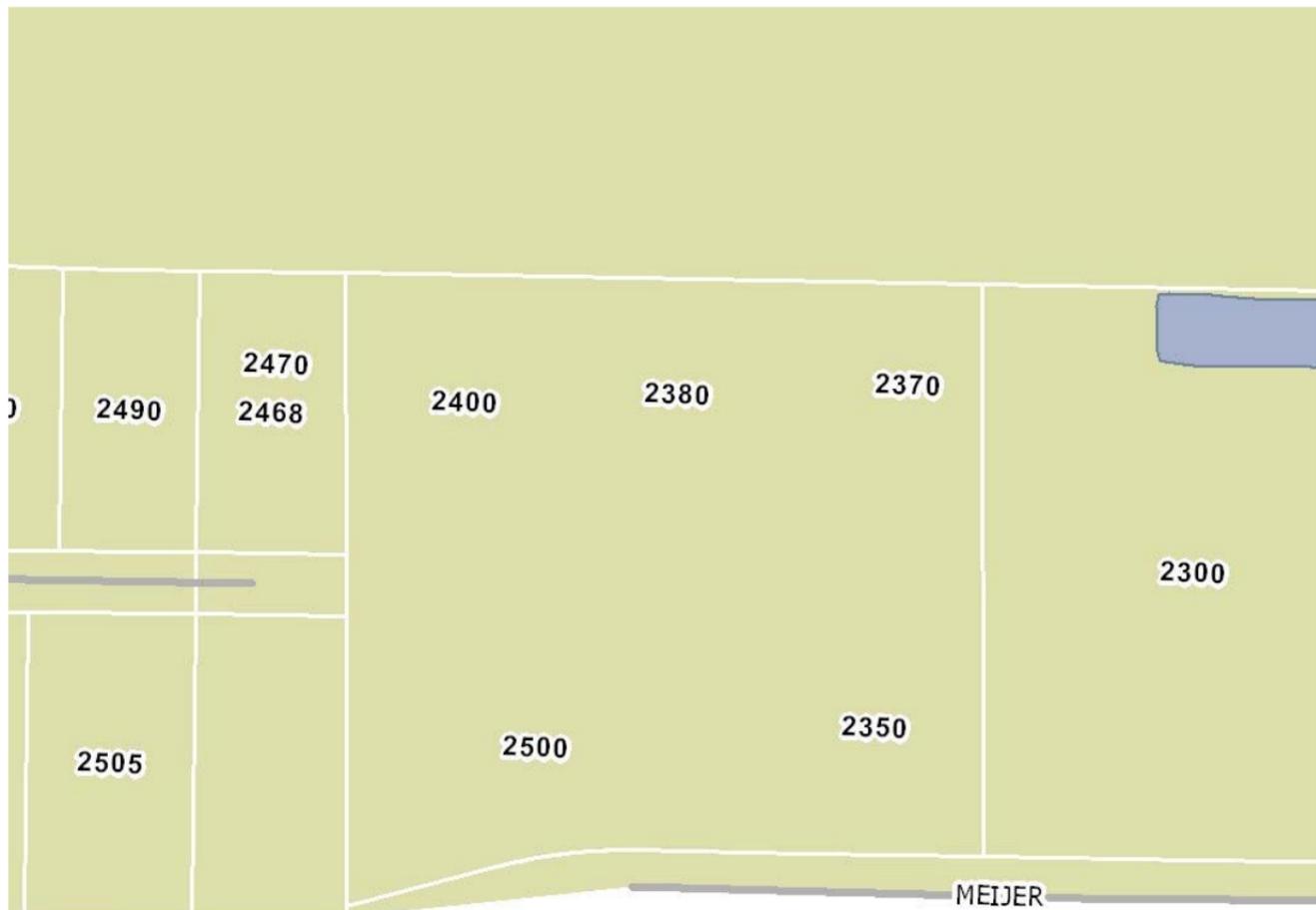
	<u>YES</u>	<u>NO</u>	<u>REMARKS</u>
1. A. Has the proper local authority reviewed the plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
B. Is the project located in a certified industrial park?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
C. Is this a renovation or expansion of an existing building?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
2. Will this project require improvement of your road service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
3. Will this project require improvement of your sanitary sewer services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
4. Will this project require improvement of your storm sewer services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
5. Will this project require improvement of your water services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
6. Will this project require additional police personnel, police equipment or a need for new police building expansion?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
7. Will this project require the need for additional fire personnel, additional or specialized fire equipment or the need for a new fire building?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
8. Will this project require other costs?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
9. Are costs of infrastructure elements to be provided through Local Development Finance Authority or Tax Increment Finance Authority Bonds?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____

If you answered yes to any of questions 2 through 8, the appropriate sections of the Supplement to Fiscal Statement form must be completed and accompany the IFT application. Call (517) 373-3272 to obtain that form.

LOCAL UNIT CERTIFICATION

This is to certify that the following has been provided as accurately as possible.

Signature	Name and Title of Local Governmental Unit Official Leger A. (Nino) Licari
-----------	--





2490

2470

2468

2400

2380

2370

2300

2505

2500

2350

MEIJER

Legal Description for IDD & IFEC

**Faurecia
2350 Meijer
Troy MI 48084**

88-20-32-200-018

**T2N, R11E, SEC 32
PART OF SW 1/4 OF NE 1/4
BEG AT PT DIST
S 89-53-40 E 1333.55 FT &
S 00-11-30 W 2274.16 FT &
N 88-10-50 W 714.54 FT
FROM N 1/4 COR,
TH S 00-11-30 W 555.88 FT,
TH N 88-20-19 W 351.36 FT,
TH ALG CURVE TO LEFT,
RAD 500 FT, CHORD BEARS
S 84-09-40 W 130.53 FT,
DIST OF 130.90 FT,
TH S 76-39-41 W 158.10 FT,
TH N 00-32-00 E 615.41 FT,
TH S 88-10-50 E 631.26 FT
TO BEG 8.24 A**

**City of Troy - Assessing Department
Faurecia Automotive Seating, Inc.
Estimate of Total Taxes and Tax Savings for IFEC Application**

Market Value	1,145,000	1,049,622	874,755	656,153	437,523	255,295	127,698	53,237	17,760	0	0	0	0
50% of Value	572,500	524,811	437,377	328,077	218,762	127,647	63,849	26,619	8,880	0	0	0	0
Year		1	2	3	4	5	6	7	8	9	10	11	12
Depreciation		0.9167	0.8334	0.7501	0.6668	0.5835	0.5002	0.4169	0.3336	0.2503	0.1670	0.0837	0.0004
Taxable Value		524,811	437,377	328,077	218,762	127,647	63,849	26,619	8,880	0	0	0	0
Taxes		Taxes											
	100% of Millage												
Trans	0.59500	\$312.26	\$260.24	\$195.21	\$130.16	\$75.95	\$37.99	\$15.84	\$5.28	\$0.00	\$0.00	\$0.00	\$0.00
County	4.64610	\$2,438.32	\$2,032.10	\$1,524.28	\$1,016.39	\$593.06	\$296.65	\$123.67	\$41.26	\$0.00	\$0.00	\$0.00	\$0.00
Int Schools	3.36900	\$1,768.09	\$1,473.52	\$1,105.29	\$737.01	\$430.04	\$215.11	\$89.68	\$29.92	\$0.00	\$0.00	\$0.00	\$0.00
Comm Coll	1.58440	\$831.51	\$692.98	\$519.80	\$346.61	\$202.24	\$101.16	\$42.17	\$14.07	\$0.00	\$0.00	\$0.00	\$0.00
State Ed	0.00000	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
School Op	5.28560	\$2,773.94	\$2,311.80	\$1,734.08	\$1,156.29	\$674.69	\$337.48	\$140.70	\$46.94	\$0.00	\$0.00	\$0.00	\$0.00
Sch Debt	4.13000	\$2,167.47	\$1,806.37	\$1,354.96	\$903.49	\$527.18	\$263.70	\$109.94	\$36.67	\$0.00	\$0.00	\$0.00	\$0.00
Admin	0.38310	\$201.05	\$167.56	\$125.69	\$83.81	\$48.90	\$24.46	\$10.20	\$3.40	\$0.00	\$0.00	\$0.00	\$0.00
City	9.28000	\$4,870.24	\$4,058.86	\$3,044.55	\$2,030.11	\$1,184.57	\$592.52	\$247.02	\$82.41	\$0.00	\$0.00	\$0.00	\$0.00
Total	29.27320	\$15,362.89	\$12,803.43	\$9,603.85	\$6,403.85	\$3,736.65	\$1,869.07	\$779.22	\$259.95	\$0.00	\$0.00	\$0.00	\$0.00
Total 8 Years		\$50,818.91											
Total City 8 Yr		\$16,110.28											

50% Total 8 Yr	\$25,409.45	Net Total Taxes Abated
50% Total City 8 Yr	\$8,055.14	Net Total City Taxes Abated

Industrial Facilities Tax Abatement Policy Resolution 06/05/06

F-5 Amending the Personal Property Tax Abatement for Manufacturing and Headquarters Companies

Resolution #2006-06-238

Moved by Beltramini

Seconded by Fleming

WHEREAS, the City of Troy has the economic objective of (a) increasing employment opportunities, (b) diversifying and stabilizing the industrial base of the community, (c) reducing economic obsolescence of the industrial base, (d) providing homogenous industrial areas, (e) encouraging industrial expansion, (f) providing for improved public facilities in industrial areas, and (g) encouraging attractive, viable industrial sites, and

WHEREAS, the Industrial Facilities Tax Act (P.A. 1974 No. 198), as amended, empowers cities to establish Industrial Development Districts (IDD) and to grant tax exemptions for certain industrial properties which meet certain criteria established by the Act, and

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Troy, that the following criteria are to be met, applied or measured by the City Manager or his designees in the review of areas and locations to be considered for designation as Industrial Development Districts (IDD) by the City Council:

- (1) That the tax exemption shall not apply to real property except those building improvements which are uniquely required to support the personal property to be abated; and
- (2) That the tax exemption shall not apply to leasehold improvements or building improvements except those uniquely required to support personal property to be abated; and
- (3) That said abatement of taxes shall cease at such time as applicant fails to prove by factual evidence that such personal property is being used in compliance with the basic guidelines established above.
- (4) That the company provide documentation that they are Michigan Economic Growth Authority (MEGA) eligible, or are moving into existing vacant buildings, or are retaining or expanding their job base in Troy.

BE IT FINALLY RESOLVED, That the term of abatement for any and all property meeting the aforementioned criteria **SHALL NOT** exceed 12 years, it being the **INTENT OF THE CITY COUNCIL TO APPROVE** various lengths of abatements to the extent provided by laws of the State of Michigan.

Yes: Fleming, Lambert, Schilling, Beltramini

No: Howrylak

Absent: Broomfield, Stine

08/18/08

To: State Tax Commission
P.O. Box 30471
Lansing, MI 48909-7971

From: Leger (Nino) Licari, Assessor

Re: Affidavit of Application Fees For IFEC

This affidavit attests that no payment of any kind has been made or promised in exchange for favorable consideration of an exemption certificate application by the City of Troy, in regards to the application of Faurecia Automotive Seating, Inc., 2350 Meijer, Troy, Michigan.

Signed, Leger (Nino) Licari, City Assessor

Dated

Signed,

Dated

**CITY OF TROY
INDUSTRIAL FACILITIES EXEMPTION
CERTIFICATE LETTER OF AGREEMENT**

This agreement between **Faurecia Automotive Seating, Inc**, (“Company”) and the **City of Troy**, is for the purpose of fulfilling the requirements of Public Act 198, as amended in Public Act 334, Section 22.

In consideration of approval of an Industrial Facilities Exemption Certificate (IFEC), **Faurecia Automotive Seating, Inc**, understands that through its investment of \$1,145,000 and its qualification for Michigan Economic Growth Authority incentives, and the **City of Troy**, by its investment of the Industrial Facilities Exemption Certificate, are mutually investing in and benefiting from this economic development project, and furthermore, agree to the following:

- 1.) The length of time for which the abatement is approved is **8** years after either completion of construction of the facilities, or December 31, 2018, whichever is sooner.
- 2.) At the end of two (2) years or no later than December 31, 2010, **Faurecia Automotive Seating, Inc** will report to the Assessing Department of the City of Troy the actual cost of this project and indicate any differences and the reason for any differences in the cost or scope of the project as compared to the IFEC application submitted by the Company.
- 3.) **Faurecia Automotive Seating, Inc**, agrees to remain within the City of Troy for the period of the Industrial Facilities Tax (IFT) abatement in order to retain the benefits of the IFT, unless permission for relocation is granted by the **City Council of the City of Troy**.

Faurecia Automotive Seating, Inc, further understands that if it chooses to leave the City of Troy without permission for relocation prior to the end of the term of the IFT, the **City Council of the City of Troy** has the right to recapture from the Company the total amount of taxes abated by the IFT.

- 4.) **Faurecia Automotive Seating, Inc**, understands that the City of Troy may reduce the term of the IFEC, revoke the IFEC and/or recover from the Company, the amount of taxes which were abated if the project has not been completed, expenditures made, as represented by the Company, in Section 12’C of its application, by sending a copy of this Agreement along with a copy of the City Council Resolution authorizing such action to the State Tax Commission.

- 5.) **Faurecia Automotive Seating, Inc**, agrees that it will operate the Project in accordance with all applicable Federal, State and Local laws or regulations, including but not limited to zoning, outside storage, industrial waste disposal, air and water quality, noise control, other environmental regulations, and all of the terms and conditions of any Consent Judgment governing the parcel.
- 6.) By execution of the Agreement, it is understood that the Company's investment in the Project, and the City of Troy's investment in the granting of the IFEC is to encourage economic growth within the City of Troy.

The City of Troy acknowledges that in some instances economic conditions may prevent the Company from complying fully with this Agreement, and the terms of the Application. The City of Troy will give the Company an opportunity to explain the reasons for any variations from the representations contained in the Application and will evaluate the Company's situation prior to taking any action authorized by Paragraph 4 and 5 of this Letter of Agreement.

- 7.) This Agreement constitutes the entire Agreement between the parties and there are no other remedies for breach of this Agreement other than as specified in this Agreement or as provided for in Public Act 198.

This agreement may only be altered upon mutual consent of both parties.

CITY OF TROY
INDUSTRIAL FACILITIES EXEMPTION
CERTIFICATE LETTER OF AGREEMENT
(Signature page)

Signed: _____ (date) _____

Name:

Title:

Signed: _____ (date) _____
Louise E. Schilling , Mayor
City of Troy
500 W Big Beaver
Troy, MI 48084-5285

Signed: _____ (date) _____
Tonni L. Bartholomew
City Clerk

CITY OF TROY
PUBLIC HEARING

A Public Hearing will be held by and before the City Council of the City of Troy at City Hall, 500 W. Big Beaver, Troy, Michigan on Monday, September 22, 2008 at 7:30 P.M. to consider the request from Faurecia Automotive Seating, Inc., for the establishment of an Industrial Development District (IDD) at the following location:

88-20-32-200-018 2350 Meijer, Troy, MI. 48084
T2N, R11E, Section 32

You may express your comments regarding this matter by writing to this office, or by attending the Public Hearing.

Tonni Bartholomew, MMC
City Clerk

NOTICE: *People with disabilities needing accommodations for effective participation in this meeting should contact the City Clerk by e-mail at clerk@ci.troy.mi.us or by calling (248) 524-3317 at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.*

C- ## Resolution for Establishment of an Industrial Development District (IDD) for Faurecia Automotive Seating, Inc. – 2350 Meijer

Suggested Resolution

Resolution # 2008-

Moved by:

Seconded by:

RESOLVED, That Troy City Council hereby **ESTABLISHES** an Industrial Development District (IDD) for Faurecia Automotive Seating, Inc., 2350 Meijer, Troy, MI. 48084, Parcel # 88-20-32-200-018, in accordance with City Council Policy Resolution #2006-06-238; and

BE IT FURTHER RESOLVED, That the City Clerk shall **FORWARD** a copy of this resolution to the State Tax Commission, Treasury Building, P.O. Box 30471, Lansing, MI. 48909-7971.

Yes:

No: