



CITY COUNCIL MEETING AGENDA

August 18, 2016

Marc D. Tall, Mayor
Ronald J. Beauchamp, Mayor Pro-Tem
Patricia A. Baribeau, Council Member
Ralph B. Blasier, Council Member
Michael R. Sattem, Council Member

James V. O'Toole, City Manager
Robert S. Richards, CMC City Clerk
Ralph B. K. Peterson, City

City Council Chambers located at: City Hall – 410 Ludington Street – Room C101 – Escanaba MI 49829

The Council has adopted a policy to use a Consent Agenda, when appropriate. All items with an asterisk (*) are considered routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or citizen so requests, in which event, the item will be removed from the General Order of Business and considered in its normal sequence on the Agenda.

Regular Meeting

Thursday, August 18, 2016, at 7:00 p.m.

CALL TO ORDER

ROLL CALL

INVOCATION/PLEDGE OF ALLEGIANCE – City Clerk Robert S. Richards

APPROVAL/CORRECTION(S) TO MINUTES - Regular Meeting – August 4, 2016, Special Meeting – August 10, 2016

APPROVAL/ADJUSTMENTS TO THE AGENDA

CONFLICT OF INTEREST DECLARATION(S)

BRIEF PUBLIC COMMENT(S)

UNFINISHED BUSINESS - None

PUBLIC HEARING(S)

1. Second Reading – Ordinance No. 1174 – An Ordinance to Amend Chapter 10, Elections.

Explanation: Administration is requesting the City Council amend Section 10-17 Location, of the City Code of Ordinances, regarding the location of Precinct 4, which is located at the Webster Elementary School, 1209 North 19th Street. In recent weeks the Escanaba Area Schools has converted the Webster Elementary School to a lockdown school facility. In an effort to respect their desire to continue as a lockdown facility on an election day, Administration is recommending Precinct 4 be moved to the Bay College M-TEC Technical Education Center located at 2000 North 30th St, Escanaba.

NEW BUSINESS

1. Approval – Traffic Control Order (TCO) No. 989 - Department of Public Safety.

Explanation: Administration is seeking Council approval of TCO No. 989. The Traffic Control Order calls for the installation of a no parking sign on the west side of the 1100 block of South 18th Street near the entrance to the Escanaba Country Club. On June 21, 2016 the Traffic Safety Advisory Committee met and is recommending approval of TCO No. 989 by the City Council.

2. Approval – Sale of City Property – 2812 North 30th Street – Red Pines Industrial Park – K Enterprises Rentals, LLC.

Explanation: Mr. Ken Gartland of K Enterprises Rentals, LLC, of Escanaba, MI is requesting to purchase Lot 3 of the Red Pines Industrial Park in the amount of \$24,926. Under the terms of the sale, K Enterprises Rentals, LLC is proposing to split the lot into two (2) lots so that two (2) new pre-engineered buildings can be built on the property to house a knife manufacturing business and a rolled steel business. K Enterprises Rentals, LLC of Escanaba is stating 24+ manufacturing jobs will be created. Administration is recommending the sale of the property provided all land splits, land uses, and zoning standards are in compliance with land division requirements, zoning requirements and the eighteen (18) month building completion requirement.

3. Approval – Professional Service Agreement – Edward VanderVries – Property Valuation Review, Property Tax Appeal Assistance and Valuation & Appraisal Strategy - City Manager's Office.

Explanation: Administration is seeking Council approval to retain Edward VanderVries to assist with the property tax defense (in the Michigan Tax Tribunal and/or Michigan's appellate courts) and related advice regarding recently filed Michigan Tax Tribunal filings in an amount no to exceed \$25,000.

Agenda – August 18, 2016

4. Approval – Catherine Bonifas Civic Center Gym Glass Basketball Backboards – Recreation Department.

Explanation: Administration is seeking Council approval to replace three (3) wooden basketball backboards with clear tempered glass backboards from Jeff's Glass & Window, Inc. of Escanaba, Michigan in an amount not to exceed \$5,832.80. This purchase is not included in the current fiscal year budget. However, funds for this project have been secured through fund raising and a grant.

5. Approval – Rose Park Tennis Court Resurfacing and Stephenson Park Basketball Resurfacing – Recreation Department.

Explanation: Administration is seeking Council approval to retain Tennis Courts Unlimited, Inc. of Watervliet, Michigan in an amount not to exceed \$10,500 for the resurfacing of the Rose Park Tennis Court and Stephenson Park Basketball Court. This purchase is included in the current fiscal year budget.

6. Approval – Lease Agreement – Community Action Agency – Recreation Department.

Explanation: Administration is seeking Council approval to renew the annual lease between the City of Escanaba and the Community Action Agency for the continued use of the Catherine Bonifas Civic Center for their Senior Center activities: On August 8, 2016 the Recreational Advisory Committee met and is recommending approval of the lease by the City Council.

APPOINTMENTS
BOARD, COMMISSION, AND COMMITTEE REPORTS
GENERAL PUBLIC COMMENT
ANNOUNCEMENTS
ADJOURNMENT

Respectfully Submitted



James V. O'Toole
City Manager



CITY COUNCIL MEETING AGENDA

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Regular Meeting Addendum

Thursday, August 18, 2016, at 7:00 p.m.

NEW BUSINESS

7. Approval – Citywide Facility Telephone System Replacement – DSTech Lease Approval.

Explanation: Administration is seeking Council approval of a 5 year lease with DSTech of Escanaba, MI to update the citywide telephone system utilizing the Zultys system. Under the terms of the proposal, the cost neutral lease is being recommended for the service and new equipment and will include all maintenance and subscription fees in an amount not greater than \$1,500 per month. If approved, this system will replace the current phone system which has been in place since 1995.

Respectfully Submitted

A handwritten signature in black ink, appearing to read "James V. O'Toole".

James V. O'Toole
City Manager

**OFFICIAL PROCEEDINGS
CITY COUNCIL
CITY OF ESCANABA, MICHIGAN
Regular Council Meeting
Thursday, August 4, 2016**

The meeting was called to order by the Honorable Mayor Marc D. Tall at 7:00 p.m. in the Council Chambers of City Hall located at 410 Ludington Street.

Present: Mayor Marc D. Tall, Council Members, Ralph B. Blasier arrived at 7:04 p.m., Patricia A. Baribeau, Ronald J. Beauchamp, and Michael R. Sattem.

Absent: None

Also Present: City Manager James V. O'Toole, City Department Heads, media, and members of the public.

Pastor Chris Johnson of Christ the King Lutheran Church, gave the invocation and led Council in the Pledge of Allegiance.

Beauchamp moved, Baribeau seconded, **CARRIED UNANIMOUSLY**, to approve Regular Meeting Minutes from July 21, 2016, and Special Meeting Minutes from July 15, 2016, as submitted.

ADJUSTMENTS TO THE AGENDA

After a suggestion to consider UB-1 as a Public Hearing, Sattem moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to approve the City Council Agenda as amended.

CONFLICT OF INTEREST DECLARATION – None

BRIEF PUBLIC COMMENT – None

PUBLIC HEARINGS
UNFINISHED BUSINESS

Approval – Escanaba Yacht Club Lease Renewal - Ludington Park.

The Escanaba Yacht Club sought Council approval of a 10 year lease for City property located in Ludington Park for the club's building. Under the terms of the lease, the Escanaba Yacht Club would provide opportunities for members of the public to have access to the building and club activities, conduct a 4th of July brunch which shall be open to the public, host the Inland Seas, an educational vessel, sponsor a "Walk the Dock" event whereby the public would be invited to tour individual boats, provide an "Open House" for the Fun Run, sponsor sailing races wherein any member of the public could crew on a boat, co-sponsor "Marina Fest" and rent its facilities to the general public for high school graduation parties and wedding receptions. Administration recommended approval of the lease.

This being a public hearing, Mayor Tall asked for Public Comment.

City resident Thomas Woodaz, and former Yacht Club member because of the proposed lease, spoke against the lease as presented.

Dan Branson, City resident and Board Member on Yacht for 30 years, stated he was in support of the proposed lease, and advised the Yacht Club accomplishes many of the items in the lease already.

Marilyn Kinsey, City resident and Yacht Club Member for 33 years, stated she was concerned on parts of the proposed lease. She reviewed their club activities and stated the City needed the Yacht Club. The Yacht Club was an economic benefit to the area, its role was very positive, and encouraged transient boaters to the area.

Jon Anthony, Yacht Club Member, thanked the City and Council for their past and present support. Mr. Anthony advised the Escanaba Yacht Club brought value to the community. The proposed language did not achieve goodwill among its members, but the Yacht Club Board approved the proposed lease.

Manager O'Toole and Attorney Peterson reviewed meetings they had with the Yacht Clubs representatives regarding the lease. They thought this was going to be a very simple project, but ended up being a complicated process. In the end, the proposed lease listed items the Escanaba Yacht Club was currently doing, and was eventually adopted by the Escanaba Yacht Club Board.

Following Council discussion, Manager O'Toole suggested amending Item 1 of the proposed lease to read "Provide opportunities, as reasonable possible, for the public as follows:"

After further discussion, Baribeau moved, Blasier seconded, to approve the amending Section II, Item 1. To read: "Provide opportunities, as reasonable possible, for the public as follows:"

Ayes: Baribeau, Blasier, Sattem, Beauchamp
Nays: Tall

MOTION CARRIED.

Blasier moved to removed Section II 1b. Motion died for lack of support.

UB-1 Sattem moved, Blasier seconded, to approve the amended Yacht Club Lease agreement, contingent upon the Escanaba Yacht Club's approval of the amended lease.

Upon a call of the roll, the vote was as follows:

Ayes: Sattem, Blasier, Baribeau, Beauchamp, Tall

Nays: None

MOTION CARRIED.

NEW BUSINESS

Approval - Revised Purchasing Policy and Procedures Manual.

Administration sought Council approval of a revised Purchasing Policy and Procedures Manual. The existing purchasing policy and procedures manual was last updated in 1992. Manager O'Toole reviewed the proposed policy and procedures and meetings held with Council and Administration.

NB-1 After discussion, Blasier moved, Baribeau seconded, to approve of a revised Purchasing Policy and Procedures Manual as proposed, provided it was reviewed every year.

Upon a call of the roll, the vote was as follows:

Ayes: Blasier, Baribeau, Tall

Nays: Beauchamp, Sattem

MOTION CARRIED.

First Reading – Ordinance No. 1174 – An Ordinance to Amend Chapter 10, Elections, and Schedule the Public Hearing and Adoption to August 18, 2016.

Administration recommended the City Council amend Section 10-17 Location, of the City Code of Ordinances, regarding the location of Precinct 4, which was located at the Webster Grade School, 1209 North 19th Street. Webster Grade School has converted to a lockout school location. In order to respect their desire to continue with a lockout facility on an election day, Administration recommended Precinct 4 be moved to the Bay College M-TEC Technical Education Center located at 2000 North 30th St.

During discussion, Council Members raised concerns over the proposed location, the timing, and discussed other suggested locations. After discussion, Council directed Clerk Richards to provide a list of other alternate locations and the pros and cons of each. Council also directed Clerk Richards to contact the Superintendent of the Escanaba Area Public Schools regarding continued use of Webster School and what the requirement would be for Election Day access at a lockout facility.

NB-2 Baribeau moved, Sattem seconded, to set August 18, 2016, as a public hearing and adoption for Ordinance No. 1174, - to amend Section 10-17 Location, of the City Code of Ordinances, regarding the location of Precinct 4, and move Precinct 4 to the Bay College M-TEC Technical Education Center located at 2000 North 30th St

Upon a call of the roll, the vote was as follows:

Ayes: Baribeau, Sattem, Beauchamp, Tall
Nays: Blasier

MOTION CARRIED.

Approval – Use of Public Space – North 18th Street Between 12th Avenue North and 13th Avenue North - Christ the King Lutheran Church – Fall Festival.

Christ the King Lutheran Church sought Council approval to close off the 1,200 block of North 18th Street between 12th Avenue North and 13th Avenue North for their Fall Festival on September 11, 2016, from 11:00 a.m. to 3:00 p.m. Administration recommended approval with the following conditions: 1) Proper insurance be provided naming the City of Escanaba as an additional insured, 2) The event sponsors provide all labor and material to clean up at the conclusion of the event, and 3) The event sponsor pay for any overtime City labor costs that may be incurred.

NB-3 Blasier moved, Beauchamp seconded, **CARRIED UNANIMOUSLY**, to approve a request from Christ the King Lutheran Church to close off the 1200 block of North 18th Street between 12th Avenue North and 13th Avenue North for their Fall Festival on September 11, 2016, from 11:00 a.m. to 3:00 p.m. contingent upon the following: 1) Proper insurance be provided naming the City of Escanaba as an additional insured, 2) The event sponsors provide all labor and material to clean up at the conclusion of the event, and 3) The event sponsor pay for any overtime City labor costs that may be incurred.

APPOINTMENT(S) TO CITY BOARDS, COMMISSIONS, AND COMMITTEES

Mayor Tall, with Council approval, reappointed City Controller Melissa Becotte to the Escanaba Building Authority.

BOARD, COMMISSION, AND COMMITTEE REPORTS

Council Members reviewed City Board and Commission meetings each attended since the last City Council Meeting.

PROCLAMATION

Mayor Tall Proclaimed the City of Escanaba as A Purple Heart City.

GENERAL PUBLIC COMMENT – None

ANNOUNCEMENTS

- Members of the public were encouraged to attend the Rock the Dock this

City Council Minutes
August 4, 2016 – cont.
upcoming weekend.

Hearing no further public comment, the Council adjourned at 8:51 p.m.

Respectfully submitted

Robert S. Richards, CMC
City Clerk

Approved: _____
Marc D. Tall, Mayor

OFFICIAL PROCEEDINGS
CITY COUNCIL
ELECTRICAL ADVISORY COMMITTEE
CITY OF ESCANABA, MICHIGAN
Special Joint Meeting
Wednesday, August 10, 2016

Pursuit to a meeting notice posted August 5, 2016, the meeting was called to order by the Mayor Marc D. Tall at 4:00 p.m. in the Council Chambers of City Hall located at 410 Ludington Street.

Present: Mayor Marc D. Tall, Council Members, Patricia A. Baribeau, Ronald J. Beauchamp, Ralph B. Blasier (left at 5:15 p.m.), and Michael R. Sattem.

Absent: None.

Present: Electrical Advisory Committee (EAC) Members: Chairperson Tim Wilson (left at 5:22 p.m.), John Anthony, Glendon Brown, and John Mellinger.

Absent: Ann Bissell.

Also Present: City Manager James V. O'Toole, Electric Superintendent Mike Furmanski, Power System Engineering (PSE) Representatives Tom Butz, and members of the public and media.

ADJUSTMENTS TO THE AGENDA

Sattem moved, Blasier seconded, **CARRIED UNANIMOUSLY**, to approve the Joint City Council & Electrical Advisory Committee Agenda as submitted.

CONFLICT OF INTEREST – None

UNFINISHED BUSINESS – None

NEW BUSINESS

Update – Electric Department –General Operations.

Electric Superintendent Mike Furmanski provided an update on departmental operations and projects:

- Reviewed new water services;
- Received an Updated the bid and completion date for the new sub station.

Discussion – Future Power Purchases.

Electric Superintendent Mike Furmanski and PSE representative Tom Butz provided a power point presentation regarding various options available to the City regarding future power purchases. (See Attachment – A)

- A specific future power purchase offer was out there, but suggested the City should take time and compare what they are offering and what they will stand behind;
- Reviewed company profiles from NextERA, GLU;
- Looked at a range of decisions;
- No action was sought, but suggested inviting NextERA, and GLU company representatives at a future joint meeting to listen to their proposals before and action was taken by the City.

Update – Solar Garden Project – Feasibility Study.

Electric Advisory Committee Member Glendon Brown provided Council and Administration an update on a proposed solar garden feasibility study. (See Attachment – B)

- Key remaining issues of proposal still needed to be answered:
- If Council approves proceeding, would come back to Council at key remaining issue 12;

Counsensus of Council for Electric Advisory Committee Member Brown and Electric Superintendent Furmanski to proceed further and report back to Council.

GENERAL PUBLIC COMMENT – None

COUNCIL/COMMITTEE, STAFF REPORTS – None

ADJOURNMENT

Hearing no further public comment, or further reports from the Electrical Advisory Committee or Council, the meeting adjourned at 5:53 p.m.

Respectfully submitted,

Robert S. Richards
City Clerk

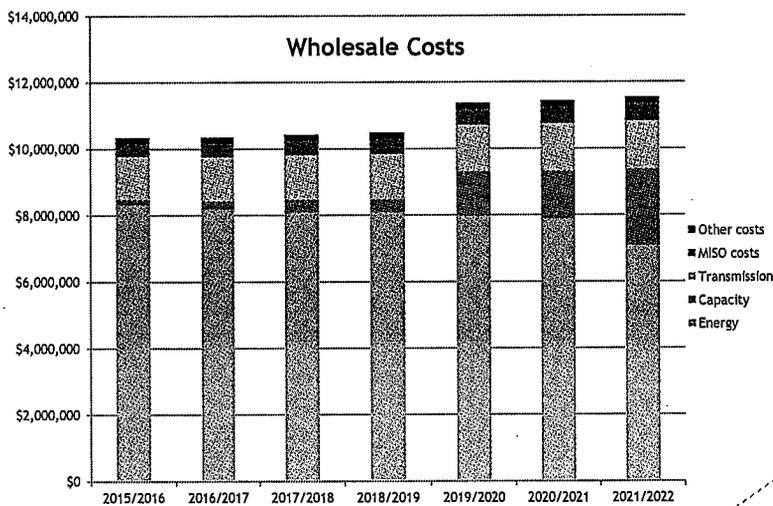
Approved: _____

Marc D. Tall, Mayor

Escanaba Power Supply Comparison

August 10, 2016

Wholesale power components



Energy and Capacity

▶ Energy

79% of our current wholesale costs, could be 62% in 5 years

We have some control on this component

There are various options to purchase energy, which will be covered later

Future costs are expected to remain stable

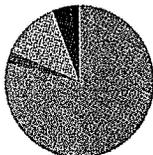
▶ Capacity

We have limited control on this component

Future costs are expected to increase in near future

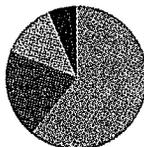
Currently 2.8% of wholesale costs, could be 20% in 5 years

Wholesale Total 16/17



- Energy
- Capacity
- Transmission
- MISO costs
- Other costs

Wholesale Total 21/22



- Energy
- Capacity
- Transmission
- MISO costs
- Other costs

3

Transmission, MISO & Other costs

▶ Transmission

Currently 12.7% of wholesale costs

Extremely limited control over this component

▶ MISO

Currently 4.1% of wholesale costs

No control over this component

▶ Other

Currently 1.4% of wholesale costs

SSR costs, Renewable Energy Credits are included here

4

History/current/future

- ▶ Since January 1, 2012 we have been buying energy on a full requirements basis from NextERA.
- ▶ The original contract was for 5 years at a price of \$57.10/MWH
- ▶ Subsequent extensions have been for lower prices
- ▶ We have the following prices under contract:
 - ▶ Thru 12/31/2016 = \$57.10
 - ▶ 1/1/17 - 12/31/19 = \$55.51
 - ▶ 1/1/20 - 5/31/21 = \$54.08
- ▶ We have purchased capacity from GLU since 2012
- ▶ We are contracted for capacity from GLU through May 31, 2019
- ▶ Recent and future capacity costs (\$/kW-mo)
 - ▶ P/Y 2015 = \$0.41
 - ▶ P/Y 2016 = \$0.61
 - ▶ P/Y 2017 = \$1.00
 - ▶ P/Y 2018 = \$1.00
 - ▶ P/Y 2019 and beyond are expected to be \$3.50 - \$6.00

Energy Purchasing Options

- ▶ Open position
 - ▶ Pay the DA and RT prices for energy from the MISO Market
 - ▶ No price certainty
- ▶ Buy blocks of energy
 - ▶ Fixed price for a portion of load, balance actual load with MISO Market
- ▶ Full requirements - NextERA
 - ▶ Fixed price for all MWHs
- ▶ Not-to-exceed - GLU
 - ▶ A not-to-exceed price for all MWHs
- ▶ Power pool - GLU
 - ▶ Estimated price for all MWHs
 - ▶ Includes capacity

2021/2022 Opportunities

- ▶ We have been in discussions with NextERA and Great Lakes Utilities (GLU) regarding energy for MISO planning year 21/22.
- ▶ Both parties have made offers
 - ▶ NextERA has offered an indicative price for full requirements
 - ▶ GLU has offered a not-to-exceed price for full requirements
 - ▶ GLU also has a power pool with 5 members
- ▶ Prices from each are very close

7

Company profile - NextERA

- Investor owned utility
- Excellent history with Escanaba
- Strong Risk Management and Trading Expertise
- Deep Levels of Staffing
- National Footprint of Customers
- Deep credit to withstand market swings, ie - Polar Vortex
- Experience with Day Ahead load forecast for Escanaba
- Experience dealing with Basis risk to Escanaba
- Experience in DA Hedging - Block Size, Trading Hub

8

Company profile - GLU

- Municipal Joint Action Agency
- Escanaba is 1 of 10 members
- Issue RFPs annually for Energy and Capacity
- Established Trading Expertise
- Limited Levels of Staffing
- WI and MI Customers
- Adequate credit to withstand market swings, ie - Polar Vortex
- Experience with Day Ahead load forecasting for their members
- Experience dealing with Basis risk
- Experience with DA Hedging, Block Size, Trading Hub, FTRs

9

Range of Decisions

- ▶ Make a decision for an energy power supplier
- ▶ Make a Decision for 2021/2022 for energy
- ▶ More Detailed Comparisons
 - ▶ Historic Comparison of GLU prices and Nextera prices
 - ▶ Costs of Stabilization Fund and Credit Requirements
 - ▶ Trading methodologies
 - ▶ Load following methodologies
 - ▶ Compare GLU market based offering and spot capacity vs. power pool offering
 - ▶ Timeframe of price offerings

10

Escanaba Solar Project

Update for August 10, 2016

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Escanaba Solar Project Estimated Installation Costs

1. For 250 KW to 1MW (DC) Capacity, the estimated installation costs range **from \$1.67 to \$1.84 per watt of DC** solar panel generation Capacity. The installation cost assumes:
 - No land purchase or lease cost
 - Cleared, flat and graded site
 - Driven post construction for mounting the racking system to support the solar panels
 - No security fence
 - Minimal utility distribution system connection costs (i.e., close proximity to existing distribution line of adequate Capacity)
2. The installed cost for an individual 315 watt solar panel will range from \$526 to \$580 for a 6.4' X 3.2' panel.
3. For a 1 MW (DC) Capacity system, 3,175 solar panels at 315 watts per panel, installation costs should range from \$1.6 to \$1.8 million.
4. For comparison, a small private residential solar system (e.g., less than 5 KW (DC) Capacity), 16 solar panels (315 watts per panel), the installed cost is approximately \$3.75 per watt DC Capacity.
5. Buying in bulk clearly offers major cost savings
6. Solar generation equipment costs are continuing to decline.

Escanaba Solar Project

Site Location Requirements & Desirable Attributes

- **Unrestricted sun exposure, no tree or building shading for more than 50+years**
- **Flat or gently sloped site requiring minimal improvements beyond bush removal and grading**
- **Close proximity to existing City electric distribution lines with adequate capacity**
- **Limited access to reduce vandalism concerns; 1 solar panel costs ~ \$530**
- **Access to clean water to clean solar panel surfaces, e.g., annual cleaning**
- **Visibility for economic promotion**
- **Ground suitable for low cost installation, e.g., driven post in sand for vertical support**
- **Set backs for aesthetics, FAA regulations, highway ROW, no underground utilities, etc.**
- **Approximately 5 to 6 acres required for 1 MW (DC) solar project**
- **Project economics cannot support significant:**
 - **Land purchase or lease costs**
 - **Major Site preparation costs**

Escanaba Solar Project

25 year Levelized Cost of Solar Generation

1. Using the Escanaba Airport weather station data, the National Renewable Energy Laboratory (i.e., NREL) website calculator estimates the annual electricity production at 1.26 kWh per watt (DC) of solar generation Capacity. This annual production estimate assumes:

- No shading**
- Panels oriented to face due south**
- Panels tilted at 45° orientation**
- 0.84 conversion efficiency for DC to AC (98% inverter efficiency assumed)**

2. With no degradation of Photovoltaic (PV) generation, 1 watt (DC) of solar PV Capacity will produce 31.43 kWh over 25 years.

3. Assuming a more realistic 0.5% loss of generation Capacity per year, after the first year of installation, 1 watt (DC) of solar PV Capacity will produce 29.61 kWh over 25 years.

4. With the estimated cumulative kWh's of generation over 25 years, 29.61 kWh, one can calculate a Levelized Cost of Generation over this same 25 year period. For example, with an Installed cost of \$1.80/watt (DC) Capacity,

$$\text{\$1.80} / 29.61 \text{ kWh} = \text{\$0.0608/kWh}$$

yields a 25 year Levelized Cost of \\$0.0608/kWh for solar generation in Escanaba.

5. An accurate 25 year Levelized Cost analysis should include Annual Operation and Maintenance (O&M) costs in addition to the Initial Installation cost. The following types of O&M costs should be expected:

- **Mowing grass and weeds in areas under and surrounding the solar panel racks**
- **Monitoring the performance of the solar generation facility components, such as individual panels and inverters**
- **Cleaning exterior surface of the panels if necessary, e.g., bird droppings or accumulated dust**
- **Replacement of defective components beyond the equipment warranty, e.g. inverters typically have a 10 year warranty**

6. A February, 2016 NREL publication indicated the O & M costs averaged \$0.016/watt of Capacity per year for large utility scale solar generation projects (i.e., 1 to 10 MW). Using this O & M cost estimate, the annual O & M cost for a 1 MW facility could be up to \$16,000 per year.

7. Assuming a 0.5% loss of generation Capacity per year, the average O & M cost per kWh of solar generation is \$0.01351/kWh.

\$0.016/watt/yr X 25 years	=	\$0.01351/kWh
29.61 kWh/ watt		

8. Combining the initial Installation cost with the annual average O&M cost, the 25 year Levelized Total Energy Cost can be estimated as shown in the next Table.

Summary of 25 Year Levelized Cost of Solar Generation

Installation Cost, \$/watt	25 Year Levelized Total Cost, \$/kWh		
	Installation Cost	Average O & M Cost	Total Cost
1.67	.0564	.0135	.0699
1.84	.0621	.0135	.0757

With Energy Optimization Rebate (\$75 per 315 watt Solar Panel)

1.432	.0484	.0135	.0619
1.602	.0541	.0135	.0676

With 30% Investment Tax Credit

1.169	.0395	.0135	.0530
1.288	.0435	.0135	.0570

With 30% Investment Tax Credit & Energy Optimization Rebate

0.931	0.314	.0135	.0449
1.050	.0350	.0135	.0490

Small, private Residential System (e.g., 5 KW Capacity)

\$3.75 Installation Cost and 30% ITC and EO Rebate

3.75	.1266	-	.1266
2.387	.0806	-	.0806

Current Escanaba Electric Energy Rates:

Customer Type	Energy Rate, \$/kWh
Residential	.09570
Commercial	.08925
Municipal	.09303
City Street Lighting	.11456
Large Power	.05996 plus \$8.97 per kW per month demand charge

9. Clearly the estimated 25 year Levelized Total costs for solar generation are less than the current residential, commercial and municipal energy rates. With the 30% Investment Tax Credit and \$75 Energy Optimization Rebates, the 25 Year Levelized costs are substantially less than the current Escanaba energy rates.

10. Purchasing the solar generation Capacity essentially stabilizes your electric energy costs for 25+ years. In addition, the useful life of a well-designed, quality solar generation system is expected to be more than 25 years, lowering the levelized costs further.

11. A large scale Solar Project offers significant 25 Year Levelized cost savings over a small private solar system.

Value of Solar or Avoided Costs with Solar Generation Within the Escanaba Electric Distribution System

For each kWh of grid tied solar generation within the Escanaba electric distribution system, the following components of electricity costs are avoided:

1. Avoided Energy Costs

- Each kWh of local solar generation eliminates the purchase of one kWh of energy from NextEra, the City’s current contract energy supplier.
- The City has a firm contract for energy pricing through the fiscal year 2020-2021.
- Beyond 2021, energy costs are expected to initially decline.

MISO Planning Year (June 1 – May 31)					
	2016-17	2017-18	2018-19	2019-20	2020-21
Energy Cost, \$/kWh	.0563	.0555	.0555	.0555	.0541

- For 2016-17, Energy Cost accounts for approximately 60% of the overall Electric Department budget.

2. Avoided Capacity Costs

- **Escanaba is required by MISO to have local generation or purchase generation Capacity that meets the annual peak loads plus excess Capacity Reserves of at least 14%.**
- **With the shutdown and sale of Escanaba's 50+ year old 25 MW Capacity coal fired power plant, Escanaba has been purchasing all its generation Capacity requirements.**
- **In 2016-17, Escanaba purchased 32 MW of Capacity which includes the Reserve Capacity requirements.**
- **Escanaba's current Capacity contract costs and forecasted costs are summarized below:**

	Fiscal Year				
	2016-17	2017-18	2018-19	2019-20	2020-21
Capacity Cost, \$/kW Month	0.61	1.00	1.00	3.50 (1)	3.75 (1)
\$/MW Year	7,320	12,000	12,000	42,000	45,000
Years for Capacity payment to fund 1 MW of new Natural Gas Combined Cycle Capacity (2)	150	92	92	26	24

(1) Current estimate

(2) Utility scale (e.g., 500 MW) Natural Gas Combined Cycle plant estimated construction cost \$1.1 million per MW Capacity.

- For 2016-17, the cost of Capacity is less than 2% of the overall Electric Department budget.
- Clearly, the current Capacity pricing, \$0.61/kW Month, does not support the construction of new generation Capacity.
- Capacity pricing will need to increase to at least \$3.50 to \$4 per kW Month to provide rational market support for new generation Capacity construction.
- Currently, MISO estimates \$7.50/kW Month for new construction.

- **An analysis of the recent City load data (2013-2015) found:**
 - **All monthly peak loads occur between 10AM and 4PM EST**
 - **All monthly peaks occur at a time when local solar generation could reduce peak loads.**
 - **In the last 10 years, all of the annual peak loads occurred in the months of June through September. 60% of the annual peak loads were in July.**

- **In December 2015, MISO developed a Preliminary Capacity Policy for utility scale solar generation (greater than 100 KW Capacity).**

- **A conservative 50% Capacity Factor is to be used for the first 3 years of operation.**

- **After 3 years of summer month actual performance data is collected, the Solar Capacity Factor can be adjusted to reflect actual performance.**

- **The Capacity of solar panels is typically rated in DC watts. In a well designed solar system, the AC Capacity is 84% of the DC Capacity: 1 watt (DC) = 0.84 watts (AC)**

- **The Avoided Capacity cost per KWH of solar generation is summarized in the table below:**

	Fiscal Year				
	2016-17	2017-18	2018-19	2019-20	2020-21
Capacity Cost, \$/kW Month	.061	1.00	1.00	3.50 (1)	3.75 (1)
Avoided Capacity Cost in \$/kWh of Solar Generation (50% Capacity Factor)	0.0028	.0046	.0046	.0161	.0172

(1) Current Estimate

3. Avoided Transmission Costs

- Escanaba’s electricity Transmission cost is based on the monthly load (i.e., coincident load) at the time of the ATC Peak Load.
- In other words, Escanaba’s electricity Transmission cost is based on its contribution to the overall monthly ATC Peak Load.
- For 2016-17, Transmission cost is approximately 10% of the overall Electric Department budget.
- Historical analysis of the 2013-2015 ATC time of monthly overall Peak Load data shows:

- Monthly load peaks always occur on a weekday
 - Time of day of the monthly peaks is very repeatable
 - For January thru March and October thru December, the monthly peaks occur after sunset in Escanaba, between 7 and 9 PM EST.
 - For six months, half of each year, from April thru September, the monthly load peaks occur before sunset, so that local solar generation could reduce the city's coincident loads at the time of the ATC Peak Loads.
- The Avoided Transmission cost per kWh of solar generation is summarized in the table:

	Fiscal Year				
	2016-17	2017-18	2018-19	2019-20	2020-21
ATC Transmission Cost, \$/kW (Coincident Load) per Month	5.23 (1)	5.48 (1)	5.62 (1)	5.78 (1)	5.94 (2)
Avoided Transmission Cost, \$/kWh of Solar Generation (50% Capacity Factor)	.0105	.0110	.0113	.0117	.0120

(1) ATC rate forecast

(2) Extrapolated estimate

4. Total Avoided Costs

The total estimated avoided cost (i.e., Energy, Capacity and Transmission), per kWh of solar generation within the Escanaba electric distribution system is summarized below:

	Fiscal Year				
	2016-17	2017-18	2018-19	2019-20	2020-21
Avoided Cost per kWh of solar generation, \$/kWh					
Energy	.0563	.0555	.0555	.0555	.0541
Capacity	.0028	.0046	.0046	.0161 (1)	.0172 (1)
Transmission	.0105	.0110	.0113	.0117	.0120
Total (50% Capacity Factor)	.0696	.0711	.0714	.0833	.0833
Total (75% Capacity Factor)	.0762	.0789	.0794	.0972	.0979
Total (100% Capacity Factor)	.0829	.0867	.0873	.1111	.1125

(1) Current Estimate

- **Future avoided cost will be very dependent upon:**
 - **Cost of Capacity for 2019-20 and beyond**
 - **Actual Capacity Factor experienced for the Escanaba solar generation**

- **By the Fiscal Year 2019-20, the Escanaba 25 Year Levelized Cost of Solar Generation is estimated to be less than the Avoided Cost, even without the benefits of the Federal ITC or EO Rebate.**

- **In 2016-17, with the Federal ITC and EO Rebate, the Escanaba 25 Year Levelized Cost of Solar Generation is significantly less than the Avoided Cost, providing the savings to justify the solar generation investment.**

Escanaba Solar Project Net Metering Rates & Example Residential Bill Calculation

1. Future Net Metering Policy

It is recommended that Avoided Cost of Solar Generation minus the O & M cost, serve as the foundation for the City of Escanaba's future solar generation Net Metering Policy (i.e., the basis for revenue from solar generation).

- Participants in a proposed Escanaba Solar Project would receive a minimum of **\$.0561** (\$.0696-.0135) in revenue or credit for every kWh of solar based generation in 2016-2017. (see Table on page 15)**
- In 2019-2020, the revenue or credit for solar based generation is forecasted to rise to **\$.0698** (\$.0833 - .0135).**
- The Avoided Cost based Net Metering Policy would be fair to both Escanaba Solar Project participants and non-participants.**

- **The rate for the Net Metering Policy will be adjusted annually, to reflect the actual Energy, Capacity and Transmission avoided costs.**
- **Capacity Factor adjustments would be made after 3 years of operation, in accordance with the MISO policy.**
- **For a private solar generation facility, (e.g., for solar panels on your roof or on your property), the O & M cost for the Escanaba Solar Project will not be deducted from the avoided cost credit.**

Example Residential Monthly Electric Bill Calculation

	Resident with NO Solar Panels	Resident with 15 315 watt Solar Panels in Escanaba Solar Project
Monthly Electricity Usage, kWh	500	500
Monthly Electricity Generated from 15 Solar Panels, kWh	-	496
Monthly Electric Meter Charge, \$	\$8.38	\$8.38
Energy Charge, 500 kWh x \$0.0957	\$47.85	\$47.85
Revenue From Solar Panel Generation Avoided Cost: 496 kWh x (\$0.0696-.0135)	-	- \$27.83
Total Electric Charges before Sales Tax, \$	\$56.23	\$28.40
Sales Tax, \$	\$2.25	\$1.14
Total Monthly Electric Bill, \$	\$58.48	\$29.54
Monthly Savings with 15 Solar Panels		\$28.94

Solar Generation Investment Payback Analysis

1. Assumptions

- **315 Watt (DC) per individual solar panel**
- **\$553 total installed cost per panel (average \$1.67 to \$1.84 per watt installation cost)**
- **Annual generation for first year of generation
315 watts/panel X 1.26 kWh/watt = 396.90 kWh/panel**
- **0.5% annual degradation in generation Capacity**
- **\$478 installed cost per panel with only \$75 Energy Optimization Rebate**
- **\$387 installed cost per panel with only 30% Investment Tax Credit**
- **\$312 installed cost per panel with both EO Rebate and ITC**
- **Solar generation revenue or credit = Avoided Cost – O & M Cost**
- **Conservative 50% Capacity Factor used for solar generation calculation**
- **After 2020-2021, the Avoided Cost is assumed to remain constant, not continue to increase**

2. Payback Analysis Results:

Final Installed Cost per Solar Panel	Years to Payback Initial Investment	
	50% Capacity Factor	75% Capacity Factor
\$312 with both \$75 per panel EO Rebate and 30% Investment Tax Credit	11 - 12	10 - 11
\$387 with only 30% Investment Tax Credit	14 - 15	12 - 13
\$478 with only \$75 Energy Optimization Rebate	17 - 18	15 - 16
\$553 with no E O Rebate or ITC	20 - 21	17 - 18

3. Potential Factors to Accelerate Payback Period

- Solar generation Capacity Factor higher than the fixed 50% required for first 3 years
- Avoided Costs increase beyond the estimates for 2020-2021

4. Other Key Findings

- The 30% ITC is critical to attract Residential and Commercial customer investment in the Escanaba Solar Project

Key Remaining Issues

- 1. EAC support and Council approval to continue Escanaba Solar Project study**
- 2. Find suitable site location(s), meeting requirements and desirable attributes**
- 3. Conduct test soil borings to confirm proposed site can utilize driven post style solar panel racking system (Finalized Installation Cost).**
- 4. Determine Capacity costs for 2020-21 and beyond. Confirm proposed MISO utility scale solar generation capacity policy has been adopted.**
- 5. Continue to investigate transmission cost savings. There is some confusion as to whether or not distributed generation can be used to reduce transmission charges.**
- 6. Determine if the Escanaba Electric Department purchase of solar generation Capacity is eligible for the Energy Optimization rebate. (25 Year Levelized Cost and Payback Analysis)**
- 7. Start logging solar generation data to quantify Capacity Factor (critical for accurate avoided cost and payback analysis). Airport weather station may have data.**
- 8. Continue to investigate contract terms and language necessary for City residents and businesses participating in the Escanaba Solar Project, to qualify for the 30% Federal Investment Tax Credit. (30% ITC through 2019, 26% in 2020, and 22% in 2021)**

- 9. Explore extended warranty costs on solar inverters to reduce the solar project O & M costs (e.g., 50%)**
- 10. Revise 25 Year Levelized cost, Avoided cost and Payback Analysis.**
- 11. Finalize new proposed Net Metering Policy based on Avoided Cost or Value of Solar.**
- 12. Develop draft contract language and terms for Residential and Commercial customers to purchase installed solar panels in the Escanaba Solar Project.**
- 13. Prepare brochures and other publicity materials to explain the Escanaba Solar Project to Escanaba citizens and businesses. Meet with Escanaba groups to explain the Project.**
- 14. Survey resident and business community interest in the Project.**
- 15. Monitor potential impact of any new Michigan energy legislation on the Escanaba Solar Project economics and feasibility.**
- 16. Define the data requirements and electric billing software changes necessary to implement the Escanaba Solar Project.**
- 17. Develop Project equipment specifications (e.g., solar panel specifications, inverter minimum efficiency, minimum DC wiring loss, etc.)**
- 18. Draft RFP for proposed Escanaba Solar Project.**

P.H. #1
cc 8/18/16



July 18, 2016

MEMORANDUM

TO: City Council,
James V. O'Toole, City Manager

FROM: Robert S. Richards, CMC *RSR*
City Clerk

SUBJECT: August 4, 2016, Agenda Item – Elections Precinct Location

Administration is seeking Council authorization to amend Section 10-17 Location, of the City Code of Ordinances, regarding Precinct 4 in the City of Escanaba. The current location, Webster Grade School, has converted to a lock down school facility. In order to respect their desire to continue a lock down facility on election day, Administration recommends moving the Precinct 4 to the Bay College M-TEC Center, 2000 North 30th Street. The location sits in Precinct 4, and is a completely handicapped accessibly facility. If approved, State Election Law requires the City notify each registered voter, which is approximately 1,300.

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

168.662 Designating place of holding election in city, village, or township; polling places; use of publicly owned or controlled buildings; rental or erection of buildings; facilities; central polling places; abolishment; compliance with voting accessibility.

Sec. 662. (1) The legislative body in each city, village, and township shall designate and prescribe the place or places of holding an election for a city, village, or township election, and shall provide a suitable polling place in or for each precinct located in the city, village, or township for use at each election. Except as otherwise provided in this section, school buildings, fire stations, police stations, and other publicly owned or controlled buildings shall be used as polling places. If it is not possible or convenient to use a publicly owned or controlled building as a polling place, the legislative body of the city, township, or village may use as a polling place a building owned or controlled by an organization that is exempt from federal income tax as provided by section 501(c) other than 501(c)(4), (5), or (6) of the internal revenue code of 1986, or any successor statute. The legislative body of a city, township, or village shall not designate as a polling place a building that is owned by a person who is a sponsor of a political committee or independent committee. A city, township, or village shall not use as a polling place a building that does not meet the requirements of this section. As used in this subsection, "sponsor of a political committee or independent committee" means a person who is described as being a sponsor under section 24(3) of the Michigan campaign finance act, 1976 PA 388, MCL 169.224, and includes a subsidiary of a corporation or a local of a labor organization, if the corporation or labor organization is considered a sponsor under section 24(3) of the Michigan campaign finance act, 1976 PA 388, MCL 169.224.

(2) The legislative body in each city, village, and township shall make arrangements for the rental or erection of suitable buildings for use as polling places if publicly owned or controlled buildings are not available, and shall have the polling places equipped with the necessary facilities for lighting and with adequate facilities for heat and ventilation. The legislative body may establish a central polling place or places for 6 precincts or less if it is possible and convenient for the electors to vote at the central polling place. The legislative body may abolish other polling places not required as a result of the establishment of a central polling place.

(3) The legislative body of a city, village, or township may establish a polling place at a for profit or nonprofit residence or facility in which 150 persons or more aged 62 or older reside or at an apartment building or complex in which 150 persons or more reside. A township board may provide polling places located within the limits of a city that has been incorporated from territory formerly a part of the township, and the electors of the township may cast their ballots at those polling places. If 2 contiguous townships utilize a combined township hall or other publicly owned or controlled building within 1 of the township's boundaries and outside of the other township's boundaries, and there is not another publicly owned or controlled building or a building owned or controlled by an organization that is exempt from federal income tax, as provided by section 501(c), other than 501(c)(4), (5), or (6), of the internal revenue code of 1986, available or suitable for a polling place within the other township, then each township board may provide a polling place in that publicly owned building for 1 or more election precinct.

(4) The legislative body of a city, village, or township shall not establish, move, or abolish a polling place less than 60 days before an election unless necessary because a polling place has been damaged, destroyed, or rendered inaccessible or unusable as a polling place.

(5) The legislative body of a city, village, or township shall ensure that a polling place established under this section is accessible and complies with the voting accessibility for the elderly and handicapped act and the help America vote act of 2002.

(6) As used in this section, "accessible" means the removal or modification of policies, practices, and procedures that deny an individual with a disability the opportunity to vote, including the removal of physical barriers as identified in section 261(b) of the help America vote act of 2002, 42 USC 15421, so as to ensure individuals with disabilities the opportunity to participate in elections in this state.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1955, Act 271, Imd. Eff. June 30, 1955;—Am. 1974, Act 165, Imd. Eff. June 23, 1974;—Am. 1995, Act 261, Eff. Mar. 28, 1996;—Am. 1996, Act 207, Imd. Eff. May 21, 1996;—Am. 1999, Act 216, Imd. Eff. Dec. 28, 1999;—Am. 2004, Act 13, Imd. Eff. Feb. 26, 2004;—Am. 2004, Act 92, Imd. Eff. Apr. 26, 2004.

Popular name: Election Code

ORDINANCE NO. 1165

AN ORDINANCE TO AMEND CHAPTER 10, ELECTIONS, OF THE CITY CODE OF ORDINANCES IN THE CITY OF ESCANABA

THE CITY OF ESCANABA ORDAINS:

CHAPTER 1

Chapter 10, Article II, Precincts, of the City Code of Ordinances shall be amended to read as follows:

Section 10-17. Location, of the Code is amended to read in its entirety as follows:

The following named places are hereby designated as the voting places for all future elections held in the City of Escanaba, the same to remain until the further order of the Council:

- (1) *First Precinct:* City Hall Council Chambers, 410 Ludington Street.
- (2) *Second Precinct:* Community Action Early Head Start Center, 1905 South 21st Street.
- (3) *Third Precinct:* Civic Center, 225 North 21st Street, Main Entrance off Parking Lot.
- (4) *Fourth Precinct:* **Bay College M-TEC, 2000 North 30th Street.**

CHAPTER II
SAVING CLAUSE

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

CHAPTER III
EFFECTIVE DATE

This Ordinance shall be in full force and effect ten (10) days after its passage and publication.

APPROVED:

APPROVED:

Ralph B. K. Peterson
City Attorney

Marc D. Tall
Mayor

ATTEST:

Robert S. Richards, CMC
City Clerk

I hereby certify that the foregoing constitutes a true and complete copy of an Ordinance duly adopted by the City Council of the City of Escanaba, County of Delta, Michigan, at a regular Meeting held on the XX day of XXXXXXX, 2016, and was published in the Daily Press, a newspaper of general circulation in the City of Escanaba on XXXXXXX XX, 2016, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Robert S. Richards, CMC
City Clerk

City of Escanaba, Michigan

NB # 1
CC 8/18/16

Distribution:

Traffic Control Order

- City Manager
- City Engineer
- City Clerk
- Public Works
- Public Safety

Traffic Control Order Number: 989

Date of Filing: July 27, 2016

In accordance with Chapter 27 of the Escanaba Code of Ordinances as amended, we have made an investigation of the traffic Conditions on: **S 18th Street**

at or near the intersection of: **1100B**

And as a result of said investigation, do hereby direct that:

One (1) No Parking sign created for the Westside of 1100B S 18th Street Escanaba. Entrance of the Escanaba Country Club

Further that the following controls be placed at the following locations:

Sign Direction (Facing): **North**

Sign(s) Location:

The following Traffic Control Oder(s) are hereby rescinded: _____

This order shall expire 90 days from date of filing except that upon its approval by the Escanaba City Council, it shall not so expire.

July 28, 2016

Date of Filing with City Clerk

Signed: RA S.M.A

August 1, 2016
Received for filing (date)

By: Robert Richards

Approved by the City of Escanaba Council on _____
Date

The Traffic Control Order is effective upon posting of the required street signs.

TRAFFIC SAFETY ADVISORY COMMITTEE MINUTES

Tuesday: June 21 -- 6:00 p.m.

City Hall - Room 102

1. CALL TO ORDER 6:00 p.m.

2. ROLL CALL:

John Economopoulos
 Joseph Crispigna
 Wayne Hardwick

Cpt. Jamie Segorski, Escanaba Public Safety
 Council Liaison Pat Baribeau
 Dan Phalen

3. APPROVAL AND/OR CORRECTION TO MINUTES:

Motion to approve: April 19, 2016 minutes

Wayne Hardwick did not receive, given a copy and a chance to look over.

MOTION: Dan Phalen
SECOND: Wayne Hardwick
SUPPORT: All

4. APPROVAL AND/OR CORRECTION TO AGENDA:

MOTION to approve June 21, 2016 agenda as presented:

MOTION: Wayne Hardwick
SECOND: Dan Phalen
SUPPORT: All

5. CONFLICT OF INTEREST DECLARATIONS: NONE

6. UNFINISHED BUSINESS: NONE

7. PUBLIC HEARINGS: NONE

8. NEW BUSINESS:

A. Election of Officers - Motion to table election until August 16, 2016 meeting, no nominations

MOTION: Joe Crispigna
SECOND: Wayne Hardwick
SUPPORT: All

B. North 30th Street and College Avenue Crosswalk – possible restriping road

No request form, put on the agenda by previous Director Ken Vanderlinden, Motion to Table Until next meeting August 16, 2016 to review Citizen Request Form, more information is needed

MOTION: Dan Phalen
SECOND: Joe Crispigna
SUPPORT: All

C. Citizen Rick Kobasic – requesting handicapped parking in parking lots be monitored closer. In Kobasic's view nothing is being done to enforce handicapped parking laws. Why are we not ticketing people? Kobasic recommends that Public Safety aggressively enforce the law of handicapped parking.

Baribeau – can you enforce on private property?

Segorski - handicapped parking is a civil infraction offense on private parking lots

Phalen - handicapped parking, handicapped person must be present to park

Crispigna - Agrees with Mr. Kobasic that it is an ongoing problem

Motion to recommend stricter enforcement on handicapped parking violations

MOTION: Joe Crispigna
SECOND: Dan Phalen
SUPPORT: All

D. Citizen Rick Kobasic - concerns regarding obstructed vision caused by bush on SE corner of 5th Ave. South and S Lincoln Rd.

Segorski – it is an MDOT issue - Public Works forwarded to MDOT.

Motion to table this issue until next meeting August 16 to see if MDOT communicates back

MOTION: Joe Crispigna
SECOND: Dan Phalen
SUPPORT: All

9. PUBLIC COMMENT:

A. **Citizen Rick Kobasic** brought up issue of ticketing on private property - Elmer's has no parking signs "Fire lane"

B. **Citizen Peter Quinn** requested "No Parking" sign on west side of S 18th Street before the Escanaba Country Club entrance. Photos were presented by Mr. Quinn. There has been issues, when tournament is going on – people with trailers or motorhomes park in that area blocking his drive, sometimes they park overnight.

Baribeau - brought up the city ordinance that there is no overnight parking of motorhomes on street
Segorski - Request will be brought to Bill Farrell to have the correct protocol done

Motion to recommend to put No Parking sign on 1100B S 18th St, entrance to Escanaba Country Club subject to Bill Farrell input and approval.

MOTION: Dan Phalen
SECOND: Joe Crispigna
SUPPORT: All

10. COMMITTEE/ADMINISTRATION COMMENT OR ANNOUNCEMENTS:

- C. Economopoulos – appreciated constructive discussion, open forums to voice opinions
- D. Crispigna - will talk to Attorney John Paul Ruddell on filling position on the Traffic and Safety board

11. ANNOUNCEMENTS: Next Meeting Date: Tuesday August 16, 2016

12. ADJOURNMENT:

MOTION: Dan Phalen
SECOND: Wayne Hardwick
SUPPORT: All

NEXT MEETING:
August 16, 2016 - 6:00 p.m.
City Hall

received
8/10/16 Pro.

NB # 2
CC 8/18/16

DONALD B. BACON
ATTORNEY AT LAW
1415 Delta Avenue
Gladstone, MI 49837

TELEPHONE (906) 428-1500
FAX (906) 428-1455
E-MAIL info@baconlawoffices.com

August 9, 2016

City of Escanaba
Attn: Jim O'Toole, City Manager
410 Ludington Street
PO Box 948
Escanaba, MI 49829
VIA HAND DELIVERY

RE: Purchase of Lot 3 of Red Pines Industrial Park Subdivision and
Request for Division

Dear Mr. O'Toole:

I represent K Enterprises Rentals, LLC and write you regarding an exciting opportunity for the City of Escanaba to augment its tax base.

Mr. Ken Gartland, member/manager of K Enterprises Rentals, LLC has been discussing with you the purchase of Lot 3 of the Red Pines Industrial Park. The purchase price which K Enterprises Rentals, LLC will pay is \$24,926.00. K Enterprises Rentals, LLC would hope to close on this matter as soon as possible.

There are two businesses that intend to come to the City of Escanaba and locate at that location. One of the businesses is a North Carolina company that is in the rolled steel business. They have 24 employees that would be employed at the new location at the Red Pines Industrial Park. The second company is a Colorado company that is in the knife manufacturing business. Each of these companies will be located in a new pre-engineered buildings to be built on the property with occupancy to begin hopefully on or around November 11, 2016.

K Enterprises Rentals, LLC requests to split Lot 3 into two equal halves. The north half and the south half. Each of the halves would then have a pre-engineered building placed on it and would house the businesses above described.

It is my understanding that this letter is necessary to allow the City to make a decision on splitting the parcel into two separate lots to accommodate these two new businesses. I am sure you can understand

the track record of Ken Gartland and K Enterprises Rentals, LLC is very strong and these businesses will come to fruition. Kindly therefore take this as a property division request as above described and I remain...

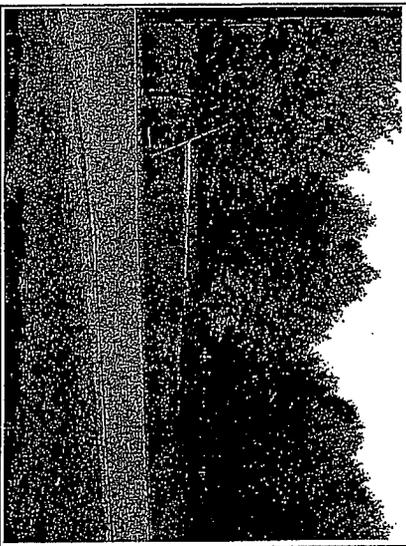
Very truly yours,



Donald B. Bacon, Esq.

DBB/jlh
KEnterprises-Escanaba-OToole-ltr01
CC: Client

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Libers & Page	Verified By	Prct. Trans.			
MICHIGAN MEATS LLC	CITY OF ESCANABA	0	04/28/2005	WD	ARMS-LENGTH	802/786	DAINA NORDEN	0.0			
DUBORD WILLIAM E & SHARON	MICHIGAN MEATS LLC	0	04/04/2002	QCD	APFILLIATED GROUPS	643/546	DAINA NORDEN	0.0			
CITY OF ESCANABA	DUBORD WILLIAM E & SHARON	13,725	05/28/1997	WD	ARMS-LENGTH	478/842		0.0			
Property Address	Class: Industrial, 301		Zoning:	Building Permitt(s)		Date	Number	Status			
2812 NORTH 30TH STREET	School: Escanaba Schools 21010					06/04/2003	30390				
	P.R.E. 0%					11/27/2000	00427				
Owner's Name/Address	Map #:		2015 Est TCV 35,141								
CITY OF ESCANABA P O BOX 948 ESCANABA MI 49829											
Tax Description	Improved	X	Vacant								
LOT 3 OF THE RED PINES INDUSTRIAL PARK SUBDIVISION NO.1	Public Improvements		Land Value Estimates for Land Table 2/301.COMERCIAL & INDUSTRIAL								
Comments/Influences	Dirt Road		Description		Frontage	Depth	Front Depth	Rate	%adj.	Reason	Value
	Gravel Road		80281 SqFt		0.50000	100					40,141
	Paved Road		1.84 Total Acres								40,141
	Storm Sewer		Total Estimated Land Improvements True Cash Value =								-5,000
	Sidewalk		Work Description for Permit 30390, Issued 06/04/2003: 30 X 46 ADDITION								
	Water		Work Description for Permit 00427, Issued 11/27/2000: 12'X14' COOLERS								
	Sewer										
	Electric										
	Gas										
	Curb										
	Street Lights										
	Standard Utilities										
	Underground Utills.										
	Topography of Site										
	Level										
	Rolling										
	Low										
	High										
	Landscaped										
	Swamp										
	Wooded										
	Pond										
	Waterfront										
	Ravine										
	Wetland										
	Flood Plain										
	Who	When	What	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value	
	DNM	01/16/2015	Review App	2015	17,571	0	17,571			14,352C	
	KD	10/04/2011	Inspected	2014	12,901	1,225	14,126			14,126S	
	KD	02/05/2010	Data Enter	2013	16,877	0	16,877			16,778C	
				2012	16,385	0	16,385			16,385S	



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*** Information herein deemed reliable but not guaranteed***

Handwritten notes:
 \$ 3.11 S.F.
 80,158 S.F. X 3.11 =
 \$ 24,926.58

General Property Information

City of Escanaba

[Back to Non-Printer Friendly Version] [Send To Printer]

Parcel: 051-325-2813-201-001 Unit: City of Escanaba

Parcel is Vacant

Property Address [collapse]

2812 NORTH 30TH STREET
ESCANABA, MI 49829

Owner Information [collapse]

CITY OF ESCANABA
PO BOX 948
ESCANABA, MI 49829-0948

Unit: 051

Taxpayer Information [collapse]

SEE OWNER INFORMATION

General Information for Tax Year 2016 [collapse]

Property Class: 301 - Industrial, 301 **Assessed Value:** \$17,571
School District: 21010 - Escanaba Schools **Taxable Value:** \$14,395
 21010
State Equalized Value: \$17,571 **Map #** N/A
User Num Idx 0 **Date of Last Name Chg:** 02/19/2016
Date Filed:
Notes: N/A
Historical District: N/A **Census Block Group:** N/A

Principal Residence Exemption **June 1st** **Final**
 2017 0.0000 % -
 2016 0.0000 % 0.0000 %

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2015	\$17,571	\$17,571	\$14,352
2014	\$14,126	\$14,126	\$14,126

Land Information [collapse]

Frontage **Depth**
Lot 1: N/A N/A
Lot 2: N/A N/A
Lot 3: N/A N/A
Total Frontage: N/A **Average Depth:** N/A
Total Acreage: N/A
Zoning Code:
Total Estimated Land Value: N/A **Mortgage Code:**
Land Improvements: (\$5,000. **Lot Dimensions/Comments:** N/A
Renaissance Zone: N/A
Renaissance Zone Expiration Date: N/A

Legal Information for 051-325-2813-201-001 [collapse]

LOT 3 OF THE RED PINES INDUSTRIAL PARK SUBDIVISION NO.1

Sales Information

3 sale record(s) found.						
Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
04/28/2005	\$0.00	WD	MICHIGAN MEATS LLC	CITY OF ESCANABA	ARMS-LENGTH	802/786
04/04/2002	\$0.00	QCD	DUBORD WILLIAM E & SHARON K	MICHIGAN MEATS LLC	AFFILIATED GROUPS	643/546
05/28/1997	\$13,725.00	WD	CITY OF ESCANABA	DUBORD WILLIAM E & SHARON K	ARMS-LENGTH	478/842

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[Privacy Policy](#)



Google earth

Google earth

feet
meters

100

50



James V. O'Toole
City Manager



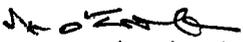
NB-3
410 Ludington Street
Escanaba, Michigan 49829
Phone (906)786-0240

MEMORANDUM

August 9, 2016

TO: Escanaba City Council

INFO: Kevin Dubord, Assessor's Office
Melissa Becotte, City Controller

FROM: 
James V. O'Toole, City Manager

SUBJ: Request for Professional Services – Property Valuation Review, Property Tax Appeal Assistance and Valuation & Appraisal Strategy – Michigan Tax Tribunal.

Recently, the City of Escanaba was served with several Michigan Tax Tribunal summons for the following properties located within the City of Escanaba:

1. **710 South Lincoln Road**: Parcel No. 051-420-2836-200-020 - Commonly known as DPL Marquette General Hospital, LLC.
2. **401 North Lincoln Road**: Parcel No. 051-420-2825-200-011 - Commonly known as Advance Auto Parts, Inc.
3. **3300 Ludington Street**: Parcel No. 051-420-2825-100-006 - Commonly known as Menards, Inc.
4. **2430 1st. Avenue North**: Parcel No. 051-420-2825-200-022 - Commonly known as Shopko Prop SPE #16.
5. **2600 Ludington Street**: Parcel No. 051-420-2825-400-003 - Commonly known as the Toyota Dealership, UP Enterprises LLC/Dagenais Real Estate, Inc.
6. **801 North Lincoln Road**: Parcel No. 051-420-2919-300-028 - Commonly known as Kmart, UP Enterprises, LLC.
7. **318 North Lincoln Road**: Parcel No. 051-120-2930-155-002 - Commonly known as UP Enterprises, LLC.
8. **1620 Willow Creek Road**: Parcel No. 051-420-2836-300-007 - Commonly known as the Edgewood Clubhouse, Dagenais Real Estate, Inc.
9. **2511 Ludington Street**: Parcel No. 051-420-2825-400-006 - Commonly known as Riverside Auto Sales, Inc.

In the absence of a regular full-time Level III Assessor in the City of Escanaba, I am asking the City Council to retain Mr. Edward VanderVries to assist with the property tax defense (in the Michigan Tax Tribunal and/or Michigan's appellate courts) and related advice regarding these recently filed Michigan Tax Tribunal filings in an amount not to exceed \$25,000.

Mission Statement:

Enhancing the enjoyment and livability of our community by providing quality municipal services to our citizens.

NB# 3
cc 8/18/16

Edward K. VanderVries
Assessment Valuation, Administration, & Consulting
7160 Venice Drive
Portage MI 49024
269-720-1928
vandervriese@vbco.org

LETTER OF ENGAGEMENT

Monday, August 8, 2016

James V. O'Toole, City Manager
City of Escanaba
410 Ludington Street
Escanaba, MI 49829

Dear Mr. O'Toole:

Thank you for the opportunity to assist you with the property tax defense (in the Michigan Tax Tribunal and/or in Michigan's appellate courts) and related advice regarding the "general review of property tax and assessment records in various cases". As discussed, this letter (the "Agreement") outlines the terms and conditions of our engagement.

SCOPE OF ENGAGEMENT

I agree to assist The City of Escanaba (the "Client"). I will be working with your designated counsel currently Jack VanCoevering of Foster Swift Collins & Smith, PC (the "Firm"). This engagement involves consulting advice, discovery, and research activities focused on assessment issues, valuation issues, and reporting issues. I will be working with your Firm and other experts regarding this engagement.

My engagement is limited to providing general assessment review, assessment valuation recommendations, research, data collection, & general assistance in preparing the tax appeal defense strategy. If the client requires additional services not covered in this engagement, an amended engagement agreement will be provided. The engagement will conclude when the issues are resolved or the Client provides written notice that the services of Edward K. VanderVries are no longer required, which will be acknowledged in writing between Edward K. VanderVries, the Firm, and the Client.

With assistance from The Firm and The Client (collectively, the "Parties") will provide all necessary records, including source documents, assessment records, correspondence, and policies deemed necessary for the successful completion of this engagement and requested by Edward K. VanderVries.

To the extent available he Parties agree to provide electronic data files that will facilitate the identification and location of records to be reviewed. I will assist The Parties personnel with determining the records needed and will instruct on the file layouts, required data fields, file types, and transfer media required.

This Agreement shall commence as of the date indicated by the signature of all three parties and shall continue until terminated upon written notice from one party to the other two. If the Client elects to terminate, the Client will be responsible for compensation subject to the Engagement & Billing Policy attached to this letter.

COMPENSATION (See Engagement & Billing Policy)

My compensation and billing are subject to the Engagement & Billing Policy. The Client has agreed that it is responsible for the fee arrangement in this matter and invoices will be mailed to the Client. The hourly rate for this Agreement will be \$175.00.

CONFIDENTIALITY (See Engagement & Billing Policy)

On behalf of the Firm, my communications are protected by the Attorney-Client privilege and the Work Product privilege. I shall not disclose information obtained as a result of this engagement without the written consent of the Firm or the Client provided, however, that I shall not be prohibited from making disclosures to the extent necessary to perform the services or to the extent required by law.

WARRANTY AND INDEMNITY

I, Edward K. VanderVries warrant and guarantee that:

1. The terms of this Agreement do not violate any existing agreements or other obligations to I am bound
2. The best practices, procedures, skill, care, and judgment shall be employed in the performance of the Services.
3. The Services shall be performed in full compliance with the law.
4. The Services shall be performed in the most expeditious and economical manner consistent with the Parties best interests.
5. I shall at all times reasonably cooperate with The Parties so as to further the best interests of the Parties. Anything herein to the contrary notwithstanding, I make no warranties whatsoever, expressed or implied, concerning the amount of any tax appeal outcome.

TERMINATION (See Engagement & Billing Policy)

NOTICE

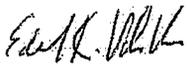
Any notice to be given under this Agreement shall be given in writing and may be affected by personal delivery or hand delivery by courier, by overnight reputable national courier, or by placing such in the United States certified mail, return receipt requested. The following addresses will be used for this Agreement.

James V. O'Toole, City Manager	Mr. Jack VanCoevering
City of Escanaba	Foster Swift Collins & Smith PC
410 Ludington Street	1700 East Beltline, N.E., Suite 200
Escanaba, MI 49829	Grand Rapids, MI 49525-7044

LAWS COVERING THIS AGREEMENT

This Agreement shall be governed by and construed in accordance with the laws of the state of Michigan. Exclusive venue for any dispute with respect to this Agreement shall reside in a court of competent jurisdiction in City of Kalamazoo, Kalamazoo County, State of Michigan.

Please sign, date and return one signed original to Mr. Edward K. VanderVries.



Edward K. VanderVries
Dated: 8/8/2016

Client Authorization
Client Company or Governmental Unit
Dated: _____

Attached: Engagement & Billing Policy



Edward K. VanderVries

Assessment Valuation, Administration, & Consulting Services
7160 Venice Drive
Portage MI 49024
269-720-1928
evandervries@hotmail.com

Engagement & Billing Policy

My goal is to provide you with quality consulting services, on schedule and at a reasonable cost. Using professional judgment, I will endeavor to perform assigned work on your behalf and to utilize consultants, analysts and developers that I deem appropriate under the circumstances. Although I will do my best to serve you effectively, I cannot guarantee success on any given project or endeavor. Nor do I guarantee that any particular result will be attained.

Professional Undertaking:

- ❖ Property Valuation Review
 - Current & Historical Records Review & Analysis
 - Compliance Verification & Analysis
 - Best Practices Review & Analysis
- ❖ Property Tax Appeal Assistance
 - Computerized Research
 - Discovery & Strategic Planning
 - Expert Witness Testimony
- ❖ Valuation & Appraisal Strategy
 - Appraiser Selection Assistance
 - Appraisal Review & Critique

Hourly Fees: Fees for services are calculated based upon the applicable hourly rates for those professionals engaged to perform the work-at-hand. The schedule of hourly rates for personnel is based on experience, education, training and level of professional attainment. Currently, the hourly rate for my services are \$175, and \$40 to \$125 for staff support, including individuals involved in data entry. Fees for other professionals will be provided as needed depending on the assignment.

Other Fee Arrangements: A specific separate agreement will be provided when a fee schedule other than an hourly fee, such as a fixed fee for a specifically defined project may be utilized. In such a case, the fee and payment schedule will be set forth in a separate agreement or addendum, but all other terms of this policy will apply.

Costs: In the course of rendering services to your organization, it may be necessary to incur expenses for items such as, special delivery services, travel, lodging and meals. The actual expenses may vary depending on the type of services provided to your firm. Certain expenses may include an adjustment, above cost, to cover our expenses in providing the billed service or product. However, expenses paid entirely to third parties (such as travel and lodging expenses) will be billed to you at "out-of-pocket" cost.

Invoices: Invoices are prepared monthly and mailed as services or expenses are incurred. Invoices are payable upon presentation,

Late Payments: I reserve the right to assess a monthly service charge equal to 1.5% of all fees and expenses which are not paid within 30 days. This monthly service charge will be billed to you

at the end of each month in which a late payment occurs. In no event will the service charge be greater than permitted by any applicable law. We also reserve the right to apply funds held as retainer against any past due amounts.

Retainer: An advance payment before commencing work on your behalf may be required (See Engagement Letter). A proposal or estimation documents will specify the amount of any such advance required. In most cases, the retainer amount is calculated to cover initial consultation fees and expenses for a 30-day period. Many consulting engagements involve conferences, trips and advance scheduling. The retainer balance is used for conferences and trips and confirms the dates. Fees and expenses are invoiced monthly as incurred, and unless they are deemed to be the last such fees and expenses associated with the project, in accordance with the policy the retainer will not be used to pay these invoices. In this way, adequate funds exist on deposit to allow planning and scheduling of subsequent trips and associated fees and expenses. If retainer balances are deemed insufficient to cover subsequent fees and expenses, additional retainer may be required. Any remaining retainer balance at the conclusion of the engagement will be refunded.

Termination: You have the right to terminate services at any time. I reserve the same right, subject to a professional and ethical obligation to give you reasonable notice to arrange for alternative support. You will be responsible for compensation under the terms of the Engagement Letter for all work performed and authorized expenses up to the date of termination.

Special Arrangements: Special arrangements, if any, governing the basis on which I will provide and bill professional services to you and varying from or expanding upon the general arrangements set forth in this policy would be described in the Engagement Letter to you or in a separate agreement or addendum.

Liability Insurance: General Liability Insurance including Errors and Omissions Insurance will be maintained at all times. If required, the City of Escanaba will be added as an additional insured.

Confidentiality: I treat all aspects of our client relationships as confidential, and will gladly provide or sign appropriate non-disclosure agreements if desired. Typically, my communications are protected by the Attorney-Client privilege and the Work Product privilege. I shall not disclose information obtained without written consent; however, I shall not be prohibited from making disclosures to the extent necessary to perform the Services or to the extent required by law.

Effective Date of Policy 1/1/2016

Edward K. VanderVries

~~7100 N. ...~~
Portage MI 49024

~~1105 W. ...~~
St. Ignace MI 49781

~~700-1000~~

EDUCATION:

Completed 4 years at Western Michigan University, College of Business, and received Associates Degree from Kalamazoo Valley Community College May 2006. Graduated from Portage Central High School in 1981. Received the Michigan Master Assessing Officer - MMAO (4) June 2012. Certified Personal Property Examiner (Current) for Van Buren County, City of Portage, City of Dowagiac, & City of Zeeland.

EXPERIENCE:

Equalization Director – 6-2012 to Present – Van Buren County

Director of Land Services 7-2003 to 7-2016 – Van Buren County

Director Planning & Economic Development – 7-2005 to 7-2016

Supervisor for the preparation of state mandated reports such as the Equalization Report, Interim Report, Headlee Report, and Analysis for Equalized Valuation Report. Prepares all sales and appraisal studies by reviewing information for all assessing units within the County. Gathers data from various documents submitted by the townships and cities to compute and compile the annual Equalization Report. Performs real property appraisals as assigned. Performs audit verification for personal property accounts and participates in the appraisal of all types of personal property subject to the General Property Tax Law for equalization purposes. Makes determination of value for ad valorem personal property assessment and equalization purposes, including statement verification and checking utilities. Coordinates work effort of department employees and contractors performing commercial/industrial appraisals. Oversees the Planning and Land Management staff responsible for name and address information and parcel identification and GIS mapping. Staff Rep to the Van Buren County Brownfield Redevelopment Authority and the Economic Development Corporation.

Instructor 2011 to Present – Michigan Assessors Association & State Tax Commission

Instructor for the State Tax Commission - The Equalization Process semester as part of the STC MAAO 1 year program 2012 - 2016. Also, I taught this class with Laurie Spencer as a continuing education class offered by the MAA at their 2011, 2012, & 2013 schools.

Assessment & Consulting Services 1996 to Present – DBA Edward VanderVries.

I provide contract assessment & consulting services. I am currently employed and/or contracted by Oceana County as their Equalization Director, the City of Portage, City of Dowagiac, City of Zeeland, and the Townships of Hersey, Moran,, & Sheridan as the Assessor of Record. I am under contract to provide assessment services to Colon Township. I utilize personally trained and supervised personnel and provide certified assessors where required. I also consult with local units with large scale Nuclear & Gas Fired Electric Generating Plants.

Property Appraiser III 11-2001 to 7-2003 – City of Portage

Responsible for all residential appraisals, new construction, board of review & tribunal appeals. I prepared and updated warrant for City Treasurer throughout the year. I assisted Deputy Assessor with commercial and industrial appraisals, new construction, and board of review & tribunal appeals. I supervise and train level II appraisers with fieldwork and computer entry. I performed all land division approvals for the city and performed all land splits throughout the year. Prepared DDA and TIFA recapture reports annually for the finance director.

Assessor/Zoning Administrator 12-2000 to 11-2001 – Caledonia Township

Assessor/Zoning Administrator/Code Enforcement Officer: Responsible for all assessment duties and placing updated information into computer. I prepared all state, county and local reports required by the STC. I reviewed all zoning issues, logged complaints, did site inspections, sent warnings and citations as well as represented the township in all court matters. I was the staff representative to the Zoning Board of Appeals.

Assessor 6-1996 to 12-2000 - Ted Gruizinga, Inc.

Responsible for 3 Units of Government; Caledonia Township, Charleston Township, and the City of Galesburg. Updating assessment cards and placing updated information into computer programs (SAMS or Equalizer). I prepared all state, county and local reports required by the STC.

(This was a sub-contractor position)

Owner 1989 to 2003 PC Training & Maintenance. As the owner, I taught and performed network installations. I employed 3 teachers and also taught for Davenport University for 2 semesters. I personally installed many of the networks in Allegan, Kalamazoo, and Van Buren Counties along with the introduction of BSA assessment software.

REFERENCES:

References are available upon request.

CITY OF ESCANABA

2016-2017 General Fund Budget Request Workpaper

Fund Number **101** Activity Number **209**
REQUEST FOR CITY ASSESSOR

	Actual 2013-14	Actual 2014-15	Estimate 2015-16	Budget 2015-16	Request 2016-17	Recommended 2016-17	Final 2016-17	\$ Change Col. 7-Col. 4	% Change Col. 7-Col. 4
	Description of Request								
				54,580	55,657	55,657	55,657	1,077	1.97%
				41,980	42,916	42,916	42,916	936	2.23%
				17,913	16,542	16,542	16,542	(1,371)	-7.65%
702	107,972	108,639	115,000	114,473	115,115	115,115	115,115	642	0.56%
711	12	50	0	0	0	0	0	0	0.00%
712	37,669	38,202	43,300	43,260	43,760	43,760	43,760	500	1.16%
				46,107	48,055	48,055	48,055	1,948	4.22%
				(8,142)	(8,355)	(8,355)	(8,355)	(213)	2.62%
713	34,771	36,142	38,000	37,965	39,700	39,700	39,700	1,735	4.57%
726	40	56	200	200	200	200	200	0	0.00%
				1,300	1,300	1,300	1,300	0	0.00%
				4,100	4,200	4,200	4,200	100	2.44%
				50	50	50	50	0	0.00%
				1,000	1,000	1,000	1,000	0	0.00%
727	6,212	5,538	6,450	6,450	6,550	6,550	6,550	100	1.55%
<hr/>									
				20,000	20,000	20,000	20,000	0	0.00%
				26,000	26,000	26,000	26,000	0	0.00%
				500	500	500	500	0	0.00%
801	4,388	28,610	46,500	46,500	46,500	46,500	46,500	0	0.00%
<hr/>									
850	354	366	650	650	650	650	650	0	0.00%
860	0	420	1,300	1,300	1,300	1,300	1,300	0	0.00%
				450	550	550	550	100	22.22%
900	248	416	450	450	550	550	550	100	22.22%
				2,000	2,000	2,000	2,000	0	0.00%
				250	250	250	250	0	0.00%
932	1,911	2,026	2,250	2,250	2,250	2,250	2,250	0	0.00%

CITY OF ESCANABA

2016-2017 General Fund Budget Request Workpaper

Fund Number 101 Activity Number 209

REQUEST FOR CITY ASSESSOR

	Actual 2013-14	Actual 2014-15	Estimate 2015-16	Budget 2015-16	Request 2016-17	Recommended 2016-17	Final 2016-17	\$ Change Col. 7-Col. 4	% Change Col. 7-Col. 4
943									
				1,956	1,956	1,956	1,956	0	0.00%
				250	250	250	250	0	0.00%
	1,474	2,269	2,200	2,206	2,206	2,206	2,206	0	0.00%
				475	175	175	175	(300)	-63.16%
				75	75	75	75	0	0.00%
958	280	280	600	580	280	280	280	(300)	-51.72%
				500	500	500	500	0	0.00%
960	200	325	500	500	500	500	500	0	0.00%
977	1,356	0	0	0	0	0	0	0	0.00%
979	112	0	0	0	0	0	0	0	0.00%
TOTAL ACTIVITY REQUEST	196,999	223,339	257,400	256,784	259,561	259,561	259,561	2,777	1.08%



RECEIVED
MAY 31 2016 W
MICHIGAN TAX TRIBUNAL

150 West Jefferson
Suite 1400
Detroit, Michigan 48226
Tel. 313.230.0104
Fax 313.230.0114

www.ryan.com

HAND DELIVERED

May 31, 2016

Chief Clerk
Michigan Tax Tribunal
PO Box 30232
Lansing, MI 48909

TransInfo14606 21327916-1 05/31/16
Chk#: 12201 Amt: \$400.00
ID: RYAN

Re: DLP Marquette General Hospital, LLC v. City of Escanaba
Parcel Number: 051-420-2836-200-020

Dear Chief Clerk:

Enclosed please find Petitioner's Petition and a check in the amount of \$400.00 made payable to the State of Michigan for the required filing fee. Note, Petitioner has not included a proof of service, as the required parties will be served within 45 days of the issuance of the Notice of Docket Number pursuant to TTR 221 and MCL 205.735a.

If you have any questions regarding this matter, please do not hesitate to contact our office directly at (248) 879-3150 or (248) 879-3156.

Respectfully Submitted,

Thomas W. Randle

Enclosures

710 S. Lincoln Ave.

STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

RECEIVED

MAY 31 2016 WJ

MICHIGAN TAX TRIBUNAL

DLP Marquette General Hospital, LLC,
Petitioner,

v

MTT Docket No. _____

City of Escanaba,
Respondent.

ENTIRE TRIBUNAL PROPERTY TAX PETITION

1. Property Parcel No: 051-420-2836-200-020
2. The property identified above is classified as Commercial Real.
3. No additional parcels are under appeal.
4. The present use of the property is Commercial.
5. The use for which the property was designed is Commercial.
6. The tax year at issue is: 2016
7. Protest of the assessment at issue was not required to be made to Respondent's March Board of Review, as such Petitioner did not protest.
8. This appeal involves issues relating to the true cash value and taxable value of the subject property.
9. The values for the property identified above as established by Respondent's Board of Review are:

Tax Year	True Cash Value	Assessed Value	Taxable Value
2016	\$7,904,866	\$3,952,433	\$3,952,433

10. Petitioner contends that the values for the property identified above are:

Tax Year	True Cash Value	State Equalized Value	Taxable Value
2016	\$7,000,000	\$3,500,000	\$3,500,000

11. The values in dispute for the property identified above are:

Tax Year	True Cash Value	State Equalized Value	Taxable Value
2016	\$904,866	\$452,433	\$452,433

12. Petitioner respectfully requests the Tax Tribunal hear this case and enter an order reducing the 2016 True Cash, State Equalized and Taxable Values and direct Respondent to refund to Petitioner any excess taxes, fees and penalties paid, plus interest and costs.

13. Petitioner relies on the following facts to support the relief requested in this amendment:

The subject assessments imposed on the subject property and the taxes to be levied and collected are invalid for the reason that:

- a. The equalized assessment thus imposed on the subject property is more than 50% of its true cash value in violation of the applicable statutory and constitutional limitations.
- b. The assessment is unlawful and is based upon the application of wrong principles and thereby operates as a fraud upon the taxpayer.

Petitioner's Authorized Representative:



Dated: May 31, 2016

Thomas W. Randle
Sean M. Mulchay (P71617)
Victoria Leshchinsky (P77790)
Brandon Eckerle (P80287)
Ryan, LLC
150 West Jefferson, Suite 1400
Detroit, MI 48226
(248) 879-3150 or (248) 879-3156
Sean.Mulchay@Ryan.com, Victoria.Leshchinsky@Ryan.com, Brandon.Eckerle@Ryan.com or
Thomas.Randle@Ryan.com

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL**

Entire Tribunal Case Information Sheet

MTT Docket No. _____
(To be filled in by MTT after a docket number is assigned)

Petitioner's Contact Information:

First Name DLP Marquette General Hospital, LLC	M.I.	Last Name
Home Address (No., Street, P.O. Box or Rural Route)		
City of Town	State	Zip Code
Telephone Number	Fax Number	
E-mail Address		

Attorney/Authorized Representative's Contact Information:

First Name Thomas	M.I. W.	Last Name Randle
Firm Name (if any) Ryan, LLC		
Address (No., Street, P.O. Box or Rural Route) 150 West Jefferson, Suite 1400		
City of Town Detroit	State MI	Zip Code 48226
Telephone Number (248) 879-3150	Fax Number (972) 960-0613	
E-mail Address thomas.randle@ryan.com		

Issue:

Please designate one: <input checked="" type="checkbox"/> Valuation <input type="checkbox"/> Special Assessment <input type="checkbox"/> Equalization <input type="checkbox"/> Non-Property <input type="checkbox"/> Classification
--

Section A: Subject Property Information:

***If you are appealing more than one parcel, please fill out the Multiple Parcel Information Sheet**

How many parcels are you appealing? 1	If you are appealing more than one parcel, are they contiguous or adjoining? <input type="checkbox"/> Yes <input type="checkbox"/> No *If no, you must file separate appeals for each non-contiguous or non-adjoining parcel.		
Property Address (No., Street) 710 South Lincoln Rd.			
City or Town Escanaba	County Delta	State MI	ZIP Code 49829
Taxing Authority (City of Township) City of Escanaba			

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL**

Section B: Check which one of the following you are appealing: (check all that apply)

<input checked="" type="checkbox"/> True Cash and Taxable Values
<input type="checkbox"/> Taxable Values Only (calculation)
<input type="checkbox"/> Uncapping of Taxable Value
<input type="checkbox"/> Tax Bill
<input type="checkbox"/> STC Order
<input type="checkbox"/> Other (please explain)

Section C: Please explain the Reason for this Appeal:

<p>The subject assessments imposed on the subject property and the taxes to be levied and collected are invalid for the reason that:</p> <p>a. The equalized assessment thus imposed on the subject property is more than 50% of its true cash value in violation of the applicable statutory and constitutional limitations.</p> <p>b. The assessment is unlawful and is based upon the application of wrong principles and thereby operates as a fraud upon the taxpayer.</p>

Section D: Valuation Information:

Parcel Number: 051-420-2836-200-020
Classification of Property: Real <input checked="" type="checkbox"/> Personal <input type="checkbox"/> (check one)
Agricultural <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> Timber-Cutover <input type="checkbox"/> Developmental <input type="checkbox"/> Utility <input type="checkbox"/> (check one)
Current Assessed Value as established by the Board of Review \$3,952,433
Current Taxable Value as established by the Board of Review \$3,952,433
What do you believe is the fair market value? \$7,000,000
What do you believe is the taxable value? \$3,500,000

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL**

Section E: Assessment Information:

Type of Tax Assessment(s):	Assessment Number(s):
Check all that is being appealed: <input type="checkbox"/> Tax <input type="checkbox"/> Interest <input type="checkbox"/> Penalty <input type="checkbox"/> Refund of taxes paid in the amount of \$	
Check what action prompted this appeal: <input type="checkbox"/> Final Assessment <input type="checkbox"/> Letter Denying Refund <input type="checkbox"/> Other	
If "other", please explain:	

Section F: Special Assessment Information:

Type of Special Assessment:
Did you protest the special assessment at the hearing held to confirm the special assessment roll? <input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, what was the date of the hearing held to confirm the special assessment roll?
If No, please explain:

Section G: Classification Information:

Parcel Number:
Current Classification of Property as established by Board of Review: Real <input type="checkbox"/> Personal <input type="checkbox"/> (check one)
Agricultural <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> Timber-Cutover <input type="checkbox"/> Developmental <input type="checkbox"/> Utility <input type="checkbox"/> (check one)
What do you believe is the property's classification? Real <input type="checkbox"/> Personal <input type="checkbox"/> (check one)
Agricultural <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> Timber-Cutover <input type="checkbox"/> Developmental <input type="checkbox"/> Utility <input type="checkbox"/> (check one)
If improved property, how is the property currently being used?
If improved property, for what was the property designed?

Section H: Signature:

Petitioner's Signature: <i>/s/</i>
Attorney or Authorized Agent's Signature:  <i>/s/</i>

General Property Information

City of Escanaba

[Back to Non-Printer Friendly Version] [Send To Printer]

Parcel: 051-420-2836-200-020 Unit: City of Escanaba

Property Address [collapse]

710 SOUTH LINCOLN ROAD
ESCANABA, MI 49829

Owner Information [collapse]

DLP MARQUETTE GENERAL HOSPITAL LLC
GA HC REIT II ESCANABA MI MOB LLC
18191 VON KARMAN AVE STE 300
IRVINE, CA 92612-7106

Unit: 051

Taxpayer Information [collapse]

SEE OWNER INFORMATION

General Information for Tax Year 2016 [collapse]

Property Class: 201 - Commercial, 201 **Assessed Value:** \$3,952,433
School District: 21010 - Escanaba Schools **Taxable Value:** \$3,952,433
 21010
State Equalized Value: \$3,952,433 **Map #** N/A
User Num Idx 0 **Date of Last Name Chg:** 02/19/2016
Date Filed:
Notes: N/A
Historical District: N/A **Census Block Group:** N/A

Principal Residence Exemption **June 1st** **Final**
 2017 0.0000 % -
 2016 0.0000 % 0.0000 %

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2015	\$4,093,858	\$4,093,858	\$4,093,858
2014	\$4,190,468	\$4,190,468	\$4,190,468

Land Information [collapse]

	Frontage	Depth
Lot 1:	N/A	N/A
Lot 2:	N/A	N/A
Lot 3:	N/A	N/A
Total Frontage:	N/A	Average Depth: N/A

Total Acreage: N/A
Zoning Code:

Total Estimated Land Value: N/A **Mortgage Code:**
Land Improvements: \$310,103 **Lot Dimensions/Comments:** N/A
Renaissance Zone: N/A
Renaissance Zone Expiration Date: N/A

Legal Information for 051-420-2836-200-020 [collapse]

SEC 36 T39N R23W E1/2 OF SE1/4 OF NE1/4 OF NE1/4 EXC TH S 33 FT & THE E 50 FT FOR ST ROW, 2300 8TH AVENUE SOUTH
ACREAGE #313

Sales Information

4 sale record(s) found.							
Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page	
<input checked="" type="checkbox"/> 12/20/2013	\$13,300,000.00	ASM	DUKE REALTY ESCANABA DEVELOPMENT LL	GA HC REIT II ESCANABA MI MOB LLC	OTHER	1096/435	
<input checked="" type="checkbox"/> 08/31/2012	\$2,850,000.00	WD	MQT GEN HOSPITAL INC	DLP MARQUETTE GENERAL HOSPITAL LLC	ARMS-LENGTH	1056/580 1071/639	
08/26/2011	\$0.00	QCD	MARQUETTE GENERAL HOSPITAL INC	DUKE REALTY ESCANABA DEV LLC	LEASE	1023/907	
06/24/2002	\$265,000.00	WD	ARA DEVELOPMENT COMPANY	MARQUETTE GENERAL HOSPITAL INC	ARMS-LENGTH	652/270	

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Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
DUKE REALTY ESCANABA DEVE	GA HC REIT II ESCANABA MI	13,300,000	12/20/2013	ASM	OTHER	1096/435	DAINA NORDEN	100.0
MQT GEN HOSPITAL INC	DLP MARQUETTE GENERAL HOS	2,850,000	08/31/2012	WD	ARMS-LENGTH	1056/580 1071		100.0
MARQUETTE GENERAL HOSPITA	DUKE REALTY ESCANABA DEV	0	08/26/2011	QCD	LEASE	1023/907		100.0
ARA DEVELOPMENT COMPANY	MARQUETTE GENERAL HOSPITA	265,000	06/24/2002	WD	ARMS-LENGTH	652/270		0.0

Property Address	Class: Commercial, 201	Zoning:	Building Permit(s)	Date	Number	Status
710 SOUTH LINCOLN ROAD	School: Escanaba Schools 21010			10/28/2011	2011000259	
	P.R.E. 0%			07/11/2002	20070902	
Owner's Name/Address	Map #: 313					
DLP MARQUETTE GENERAL HOSPITAL LLC GRIFFIN-AMERICAN HEALTHCARE REIT II 18191 VON KARMAN AVE STE 300 IRVINE CA 92612-7106		2016 Est TCV Tentative				

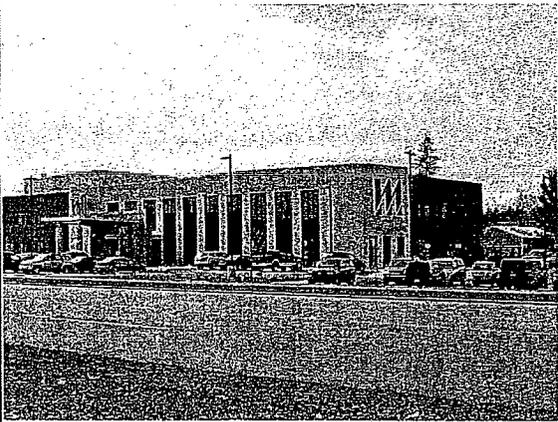
X	Improved	Vacant	Land Value Estimates for Land Table 20.COM 1			
	Public Improvements		* Factors * 625 X 280			
			Description	Frontage	Depth	Rate %Adj. Reason Value
			PRIME SQ F LR3 (>100K)	175724	SqFt	2.65000 100 465,669
			4.03 Total Acres		Total Est. Land Value =	465,669

Tax Description	X	Improved	Vacant	Description	Rate	CountyMult.	Size	%Good	Cash Value	
SEC 36 T39N R23W E1/2 OF SE1/4 OF NE1/4 OF NE1/4 EXC TH S 33 FT & THE E 50 FT FOR ST ROW. 2300 8TH AVENUE SOUTH ACREAGE #313	X			Dirt Road						
	X			Gravel Road						
	X			Paved Road						
	X			Storm Sewer						
	X			Sidewalk						
	X			Water	4.63	1.30	1700	95	9,721	
	X			Sewer	2.01	1.30	120000	95	297,882	
	X			Electric	Commercial/Industrial Local Cost Land Improvements					
	X			Gas						
	X			Curb	2500.00	1.00	1.0	100	100	2,500
	X			Street Lights						
	X			Standard Utilities						
	X			Underground Utils.						

Comments/Influences	X	Improved	Vacant	Description	Rate	CountyMult.	Size	%Good	%Arch.Mult	Cash Value
	X			Commercial/Industrial Local Cost Land Improvements						
	X			WATER&SEWER	2500.00	1.00	1.0	100	100	2,500
				Total Estimated Land Improvements True Cash Value =						310,103

Work Description for Permit 2011000259, Issued 10/28/2011: NEW MEDICAL BUILDING
 Work Description for Permit 20070902, Issued 07/11/2002: DEMO HOME & GAR

Topography of Site	X	Level	Rolling	Low	High	Landscaped	Swamp	Wooded	Pond	Waterfront	Ravine	Wetland	Flood Plain
	X												
	X												



Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
2016	Tentative	Tentative	Tentative			Tentative
2015	263,586	3,830,272	4,093,858			4,093,858S
2014	241,621	3,948,847	4,190,468			4,190,468S
2013	219,037	3,760,781	3,979,818			3,979,818S

Who When What
 TW 01/23/2014 Data Enter
 DRN 01/06/2013 Data Enter
 KD 12/06/2012 Data Enter

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*** Information herein deemed reliable but not guaranteed***

Desc. of Bldg/Section: MEDICAL OFFICES Calculator Occupancy: Medical - Office Building				<<<<< Calculator Cost Computations >>>>>			
Class: A Floor Area: 47,144 Gross Bldg Area: 47,144 Stories Above Grd: 2 Average Sty Hght : 15 Bsmnt Wall Hght				Class: A Quality: Good Percent Adj: +0 Base Rate for Upper Floors = 157.85			
Depr. Table : 2% Effective Age : 1 Physical %Good: 98 Func. %Good : 100 Economic %Good: 100				(10) Heating system: Zoned A.C. Hot & Chilled Water Cost/SqFt: 0.00 100% Adjusted Square Foot Cost for Upper Floors = 157.85			
2012 Year Built Remodeled				2 Stories Average Height per Story: 15 Ave. Floor Area: 23,572 Perimeter: 720 Refined Square Foot Cost for Upper Floors: 156.74			
30 Overall Bldg Height				Number of Stories Multiplier: 1.000 Height per Story Multiplier: 1.070 Perim. Multiplier: 0.928 County Multiplier: 1.34, Final Square Foot Cost for Upper Floors = 210.030			
Comments:				Total Floor Area: 47,144 Base Cost New of Upper Floors = 9,901,650 47,144 Sq.Ft. of Sprinklers @ 2.63, County Mult.:1.34 Cost New = 166,145 Reproduction/Replacement Cost = 10,067,795 Eff.Age:1 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 98 /100/100/100/98.0 Total Depreciated Cost = 9,866,439			
(1) Excavation/Site Prep: X Excavation (in cubic feet)				(7) Interior: X Frame, Medical Offices, Class A & B			
(2) Foundation: X Footings				(8) Plumbing:			
X Poured Conc Brick/Stone Block				Many Above Ave. Average Typical Few None			
(3) Frame: X Concrete, Reinforced, Class B				Total Fixtures 3-Piece Baths Urinals 2-Piece Baths Wash Bowls Shower Stalls Water Heaters Toilets Wash Fountains Water Softeners			
(4) Floor Structure: X Concrete, Elevated Slab/Joists				X Typical, Medical Office Buildings X Typical, Medical Office Buildings			
(5) Floor Cover: X Carpet and Pad, Custom X Vinyl Tile				(9) Sprinklers:			
(6) Ceiling: X Acoustical Ceilings, Mineral/Fiber X Ceiling Insulation, Add				(10) Heating and Cooling: X Gas Oil Coal Stoker Hand Fired Boiler			
				X Zoned A.C., Warm and Cooled Air			
				(11) Electric and Lighting: X Many Outlets, Flexible Conduit			
				(39) Miscellaneous:			
				Outlets: Fixtures:			
				X Few Average Many Unfinished Typical X Few Average Many Unfinished Typical			
				Flex Conduit Rigid Conduit Armored Cable Non-Metalic Bus Duct Incandescent Fluorescent Mercury Sodium Vapor Transformer			
				(13) Roof Structure: Slope=0 X Steel Joists, Steel Deck			
				(14) Roof Cover: X Elastomeric, Reinforced Sheet			
				(40) Exterior Wall: Thickness Bsmnt Insul.			
				X Concrete, Precast Panels, 6"			

*** Information herein deemed reliable but not guaranteed***

SKETCH/AREA TABLE ADDENDUM

Parcel No 051-420-2836-200-020

Property Address 710 SOUTH LINCOLN ROAD

City ESCANABA

County Delta

State MI

Zip 49829

Owner DLP MARQUETTE GENERAL HOSPITAL LLC

Client

Client Address 710SLRD

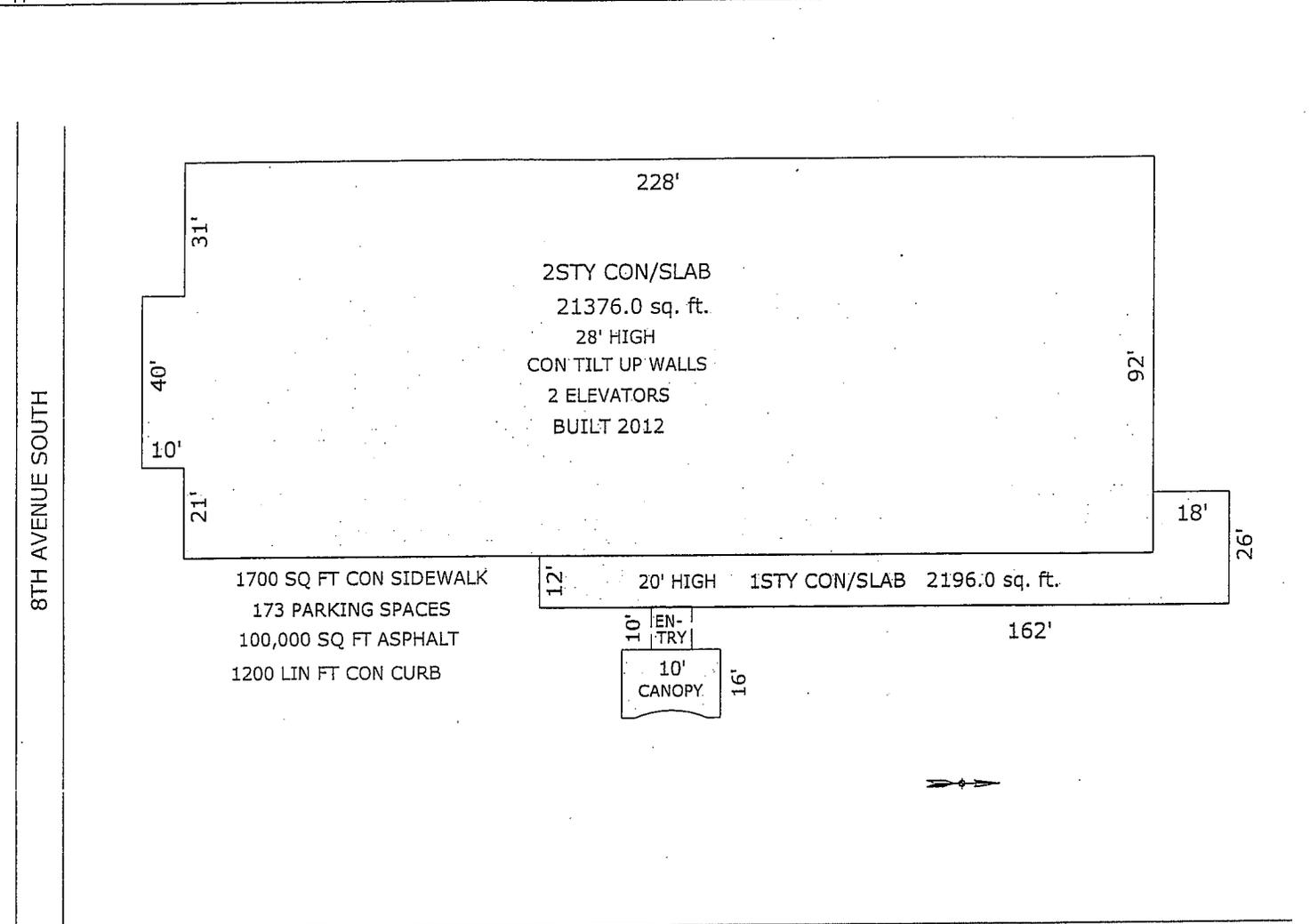
Appraiser Name KEVIN DUBORD

Inspection Date DRAWN 12-6-12

NEC

IMPROVEMENTS SKETCH

AREA CALCULATIONS



8TH AVENUE SOUTH

710 SOUTH LINCOLN ROAD

Scale: 1" = 42'

AREA CALCULATIONS SUMMARY					
Code	Description	Factor	Net Size	Perimeter	Net Totals
GBA1	2STY CON/SLAB	1.00	21376.00	660.0	23572.00
	1STY CON/SLAB	1.00	2196.00	376.0	
Net BUILDING Area		(rounded w/ factors)		23572	

Comment Table 1	
Comment Table 2	Comment Table 3



150 West Jefferson
Suite 1400
Detroit, Michigan 48226
Tel. 313.230.0104
Fax 313.230.0114

www.ryan.com

HAND DELIVERED

May 31, 2016

Chief Clerk
Michigan Tax Tribunal
PO Box 30232
Lansing, MI 48909

RECEIVED

MAY 31 2016 WI

MICHIGAN TAX TRIBUNAL

Re: Advance Auto Parts, Inc. v. City of Escanaba
Parcel Number: 051-420-2825-200-011

Dear Chief Clerk:

Enclosed please find Petitioner's Petition and a check in the amount of \$400.00 made payable to the State of Michigan for the required filing fee. Note, Petitioner has not included a proof of service, as the required parties will be served within 45 days of the issuance of the Notice of Docket Number pursuant to TTR 221 and MCL 205.735a.

If you have any questions regarding this matter, please do not hesitate to contact our office directly at (248) 879-3150 or (248) 879-3156.

Respectfully Submitted,

Thomas W. Randle

Enclosures

TRBINT014000 ZLNSTZ0-1 05/31/16
CHK: 12230 Amt: 400.00

401 North Lincoln Rd.

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL**

Advance Auto Parts, Inc.,
Petitioner,

v

MTT Docket No. _____

City of Escanaba,
Respondent.

ENTIRE TRIBUNAL PROPERTY TAX PETITION

1. Property Parcel No: 051-420-2825-200-011
2. The property identified above is classified as Commercial Real.
3. No additional parcels are under appeal.
4. The present use of the property is Commercial.
5. The use for which the property was designed is Commercial.
6. The tax year at issue is: 2016
7. Protest of the assessment at issue was not required to be made to Respondent's March Board of Review, as such Petitioner did not protest.
8. This appeal involves issues relating to the true cash value and taxable value of the subject property.
9. The values for the property identified above as established by Respondent's Board of Review are:

Tax Year	True Cash Value	Assessed Value	Taxable Value
2016	\$700,424	\$350,212	\$350,212

10. Petitioner contends that the values for the property identified above are:

Tax Year	True Cash Value	State Equalized Value	Taxable Value
2016	\$400,000	\$200,000	\$200,000

11. The values in dispute for the property identified above are:

Tax Year	True Cash Value	State Equalized Value	Taxable Value
2016	\$300,424	\$150,212	\$150,212

12. Petitioner respectfully requests the Tax Tribunal hear this case and enter an order reducing the 2016 True Cash, State Equalized and Taxable Values and direct Respondent to refund to Petitioner any excess taxes, fees and penalties paid, plus interest and costs.

13. Petitioner relies on the following facts to support the relief requested in this amendment:

The subject assessments imposed on the subject property and the taxes to be levied and collected are invalid for the reason that:

a. The equalized assessment thus imposed on the subject property is more than 50% of its true cash value in violation of the applicable statutory and constitutional limitations.

b. The assessment is unlawful and is based upon the application of wrong principles and thereby operates as a fraud upon the taxpayer.

Petitioner's Authorized Representative:



Dated: May 31, 2016

Thomas W. Randle
Sean M. Mulchay (P71617)
Victoria Leshchinsky (P77790)
Brandon Eckerle (P80287)
Ryan, LLC
150 West Jefferson, Suite 1400
Detroit, MI 48226
(248) 879-3150 or (248) 879-3156
Sean.Mulchay@Ryan.com, Victoria.Leshchinsky@Ryan.com, Brandon.Eckerle@Ryan.com or
Thomas.Randle@Ryan.com

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL**

Entire Tribunal Case Information Sheet

MTT Docket No. _____
(To be filled in by MTT after a docket number is assigned)

Petitioner's Contact Information:

First Name Advance Auto Parts, Inc.	M.I.	Last Name
Home Address (No., Street, P.O. Box or Rural Route)		
City of Town	State	Zip Code
Telephone Number	Fax Number	
E-mail Address		

Attorney/Authorized Representative's Contact Information:

First Name Thomas	M.I. W.	Last Name Randle
Firm Name (if any) Ryan, LLC		
Address (No., Street, P.O. Box or Rural Route) 150 West Jefferson, Suite 1400		
City of Town Detroit	State MI	Zip Code 48226
Telephone Number (248) 879-3150	Fax Number (972) 960-0613	
E-mail Address thomas.randle@ryan.com		

Issue:

Please designate one: <input checked="" type="checkbox"/> Valuation <input type="checkbox"/> Special Assessment <input type="checkbox"/> Equalization <input type="checkbox"/> Non-Property <input type="checkbox"/> Classification
--

Section A: Subject Property Information:

*If you are appealing more than one parcel, please fill out the Multiple Parcel Information Sheet

How many parcels are you appealing? 1	If you are appealing more than one parcel, are they contiguous or adjoining? <input type="checkbox"/> Yes <input type="checkbox"/> No *If no, you must file separate appeals for each non-contiguous or non-adjoining parcel.		
Property Address (No., Street) 401 N Lincoln Rd			
City or Town Escanaba	County Delta	State MI	ZIP Code 49829
Taxing Authority (City of Township) City of Escanaba			

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL**

Section B: Check which one of the following you are appealing: (check all that apply)

<input checked="" type="checkbox"/> True Cash and Taxable Values
<input type="checkbox"/> Taxable Values Only (calculation)
<input type="checkbox"/> Uncapping of Taxable Value
<input type="checkbox"/> Tax Bill
<input type="checkbox"/> STC Order
<input type="checkbox"/> Other (please explain)

Section C: Please explain the Reason for this Appeal:

The subject assessments imposed on the subject property and the taxes to be levied and collected are invalid for the reason that:

a. The equalized assessment thus imposed on the subject property is more than 50% of its true cash value in violation of the applicable statutory and constitutional limitations.

b. The assessment is unlawful and is based upon the application of wrong principles and thereby operates as a fraud upon the taxpayer.

Section D: Valuation Information:

Parcel Number: 051-420-2825-200-011
Classification of Property: Real <input checked="" type="checkbox"/> Personal <input type="checkbox"/> (check one)
Agricultural <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> Timber-Cutover <input type="checkbox"/> Developmental <input type="checkbox"/> Utility <input type="checkbox"/> (check one)
Current Assessed Value as established by the Board of Review \$350,212
Current Taxable Value as established by the Board of Review \$350,212
What do you believe is the fair market value? \$400,000
What do you believe is the taxable value? \$200,000

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL**

Section E: Assessment Information:

Type of Tax Assessment(s):	Assessment Number(s):
Check all that is being appealed: <input type="checkbox"/> Tax <input type="checkbox"/> Interest <input type="checkbox"/> Penalty <input type="checkbox"/> Refund of taxes paid in the amount of \$	
Check what action prompted this appeal: <input type="checkbox"/> Final Assessment <input type="checkbox"/> Letter Denying Refund <input type="checkbox"/> Other If "other", please explain:	

Section F: Special Assessment Information:

Type of Special Assessment:
Did you protest the special assessment at the hearing held to confirm the special assessment roll? <input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, what was the date of the hearing held to confirm the special assessment roll?
If No, please explain:

Section G: Classification Information:

Parcel Number:
Current Classification of Property as established by Board of Review: Real <input type="checkbox"/> Personal <input type="checkbox"/> (check one)
Agricultural <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> Timber-Cutover <input type="checkbox"/> Developmental <input type="checkbox"/> Utility <input type="checkbox"/> (check one)
What do you believe is the property's classification? Real <input type="checkbox"/> Personal <input type="checkbox"/> (check one)
Agricultural <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Residential <input type="checkbox"/> Timber-Cutover <input type="checkbox"/> Developmental <input type="checkbox"/> Utility <input type="checkbox"/> (check one)
If improved property, how is the property currently being used?
If improved property, for what use was the property designed?

Section H: Signature:

Petitioner's Signature: <i>lal</i>
Attorney or Authorized Agent's Signature:  <i>lal</i>

General Property Information

City of Escanaba

[Back to Non-Printer Friendly Version] [Send To Printer]

Parcel: 051-420-2825-200-011 **Unit:** City of Escanaba

Property Address [collapse]

401 NORTH LINCOLN ROAD
ESCANABA, MI 49829

Owner Information [collapse]

WESTMINSTER DEVELOPMENT LLC
2601 WEST 26TH STREET
ERIE, PA 16508-1849

Unit: 051

Taxpayer Information [collapse]

SEE OWNER INFORMATION

General Information for Tax Year 2016 [collapse]

Property Class:	201 - Commercial, 201	Assessed Value:	\$350,212
School District:	21010 - Escanaba Schools	Taxable Value:	\$350,212
	21010	Map #	N/A
State Equalized Value:	\$350,212	Date of Last Name Chg:	03/07/2016
User Num Idx	0	Date Filed:	
		Notes:	N/A
Historical District:	N/A	Census Block Group:	N/A

Principal Residence Exemption	June 1st	Final
2017	0.0000 %	-
2016	0.0000 %	0.0000 %

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2015	\$325,634	\$325,634	\$304,800
2014	\$364,909	\$300,000	\$300,000

Land Information [collapse]

	Frontage		Depth
Lot 1:	N/A		N/A
Lot 2:	N/A		N/A
Lot 3:	N/A		N/A
Total Frontage:	N/A	Average Depth:	N/A
Total Acreage:	N/A		
Zoning Code:			
Total Estimated Land Value:	N/A	Mortgage Code:	
Land Improvements:	\$7,572	Lot Dimensions/Comments:	N/A
Renaissance Zone:	N/A		
Renaissance Zone Expiration Date:	N/A		

Legal Information for 051-420-2825-200-011 [collapse]

SEC 25 T39N R23W [MAP# 145-1] PRT OF SE 1/4 OF NE 1/4 [0.65 A] COM @ NE COR TH S 0D 4M W ALG E LN SD SEC 95.87 FT TH S 88D 48M W 55.80 FT W ROW HWY & POB TH S 88D 48M W 259.34 FT TH S 0D 4M W 120.4 FT TO NLY ROW C&NW RR TH N 84D 12M E 256 FT TO WLY ROW SD HWY ON 1184.7 FT RAD CURVE RT TH NLY ALG SD CURVE CHORD N 2D 34M E 100 FT TO POB.

Sales Information

5 sale record(s) found.						
Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
11/18/2015	\$1,325,000.00	WD	EL DORADO INVESTORS MICHIGAN LLC	WESTMINSTER DEVELOPMENT LLC	ARMS-LENGTH	1146/544
05/10/2005	\$1,625,800.00	WD	SPIRIT FINANCE ACQUISITIONS LLC	EL DORADO INV MI LLC	ARMS-LENGTH	804/536
09/01/2004	\$650,000.00	WD	SCHUETTE ROBERT & ROBERTA J	SPIRIT FINANCE ACQUISITIONS LLC	ARMS-LENGTH	779/005
05/01/1998	\$252,000.00	WD	ABC ENTERPRISES INC	SCHUETTE ROBERT & ROBERTA	ARMS-LENGTH	506/105
10/15/1996	\$410,000.00	WD	KOBASIC DANIEL & CHENIER ELIZABETH	ABC ENTERPRISES INC	ARMS-LENGTH	466/949

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[Privacy Policy](#)

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
EL DORADO INVESTORS MICH	WESTMINSTER DEVELOPMENT L	1,325,000	11/18/2015	WD	ARMS-LENGTH	1146/544	DAINA NORDEN	100.0			
SPIRIT FINANCE ACQUISITIO	EL DORADO INV MI LLC	1,625,800	05/10/2005	WD	ARMS-LENGTH	804/536		0.0			
SCHUETTE ROBERT & ROBERTA	SPIRIT FINANCE ACQUISITIO	650,000	09/01/2004	WD	ARMS-LENGTH	779/005		0.0			
ABC ENTERPRISES INC	SCHUETTE ROBERT & ROBERTA	252,000	05/01/1998	WD	ARMS-LENGTH	506/105		0.0			
Property Address		Class: Commercial, 201		Zoning:		Building Permit(s)		Date	Number	Status	
401 NORTH LINCOLN ROAD		School: Escanaba Schools 21010		COMMERCIAL		09/20/2004		00321	COMPLETE		
Owner's Name/Address		P.R.E. 0%		Map #: 145-1		2016 Est TCV Tentative					
WESTMINSTER DEVELOPMENT LLC 261 WEST 26TH ST ERIE PA 16506		X Improved		Vacant		Land Value Estimates for Land Table 20.COM 1					
Tax Description		Public Improvements		Dirt Road		* Factors *		100 X 259			
SEC 25 T39N R23W [MAP# 145-1] PRT OF SE 1/4 OF NE 1/4 [0.65 A] COM @ NE COR TH S OD 4M W ALG E LN SD SEC 95.87 FT TH S 88D 48M W 55.80 FT W ROW HWY & POB TH S 88D 48M W 259.34 FT TH S OD 4M W 120.4 FT TO NLY ROW C&NW RR TH N 84D 12M E 256 FT TO WLY ROW SD HWY ON 1184.7 FT RAD CURVE RT TH NLY ALG SD CURVE CHORD N 2D 34M E 100 FT TO POB.		X Paved Road		Gravel Road		Description		Frontage		Depth	
Comments/Influences		X Storm Sewer		X Sidewalk		PRIME SQ F LR1 (0-30K)		28277 SqFt		18.50000 120 CORNER LOT	
		X Water		X Sewer		0.65 Total Acres		Total Est. Land Value =		627,743	
		X Electric		X Gas		Land Improvement Cost Estimates		Description		Rate	
		X Curb		X Street Lights		D/W/P: 5in Ren. Conc.		4.54		1.30	
		X Standard Utilities		X Underground Utils.		D/W/P: Asphalt Paving		1.61		1.30	
		Topography of Site		X Level		D/W/P: 4in Ren. Conc.		4.21		1.30	
		X Rolling		X High		Commercial/Industrial Local Cost Land Improvements		Description		Rate	
		X Low		X Landscaped		WATER&SEWER		2500.00		1.00	
		X Swamp		X Wooded		Total Estimated Land Improvements True Cash Value =		7,572			
		X Pond		X Waterfront		Year		Land Value		Building Value	
		X Ravine		X Wetland		2016		Tentative		Tentative	
		X Flood Plain				2015		203,592		122,042	
						2014		122,766		242,143	
						2013		122,766		234,555	
										Assessed Value	
										Board of Review	
										Tribunal/Other	
										Taxable Value	
										Who	
										When	
										What	
										2016	
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										2013	

Desc. of Bldg/Section: AUTO PARTS STORE
 Calculator Occupancy: Store, Warehouse Discount

Class: C
 Floor Area: 6,795
 Gross Bldg Area: 6,795
 Stories Above Grd: 1
 Average Sty Hght : 12
 Bsmnt Wall Hght

Depr. Table : 4%
 Effective Age : 32
 Physical %Good: 35
 Func. %Good : 100
 Economic %Good: 100

2004 Year Built Remodeled
 14 Overall Bldg Height

Comments:

Construction Cost

High	Above Ave.	X	Ave.	Low
------	------------	---	------	-----

** ** Calculator Cost Data ** **
 Quality: Low Cost Adj: %+0 \$/SqFt:0.00
 Heat#1: Space Heaters, Gas with Fan 100
 Heat#2: Space Heaters, Gas with Fan 0%
 Ave. SqFt/Story: 6795
 Ave. Perimeter: 330
 Has Elevators:

*** Basement Info ***
 Area:
 Perimeter:
 Type: Finished/Office (No Rates)
 Heat: No Heating or Cooling

* Mezzanine Info *
 Area #1:
 Type #1: Office (No Rates)
 Area #2:
 Type #2: Office (No Rates)

* Sprinkler Info *
 Area: 6795
 Type: Low

<<<< Calculator Cost Computations >>>>
 Class: C Quality: Low Cost Percent Adj: +0

Base Rate for Upper Floors = 28.75

(10) Heating system: Space Heaters, Gas with Fan Cost/SqFt: 0.00 100%
 Adjusted Square Foot Cost for Upper Floors = 28.75

1 Stories
 Average Height per Story: 12
 Ave. Floor Area: 6,795 Perimeter: 330
 Refined Square Foot Cost for Upper Floors: 25.21

Number of Stories Multiplier: 1.000
 Height per Story Multiplier: 0.920
 Perim. Multiplier: 0.953

County Multiplier: 1.37, Final Square Foot Cost for Upper Floors = 34.533

Total Floor Area: 6,795 Base Cost New of Upper Floors = 234,654
 6,795 Sq.Ft. of Sprinklers @ 2.20, County Mult.:1.37 Cost New = 20,480

Reproduction/Replacement Cost = 255,134
 Eff. Age:32 Phy. %Good/Abnr. Phy./Func./Econ./Overall %Good: 35 /100/100/100/35.0
 Total Depreciated Cost = 89,297

Unit in Place Items	Rate	Quantity	Cnty Arch	%Good	Depr. Cost
/CI16/YARI/OUTL/2AVG/FLO	1050.00	2	1.37 1.00	35	1,007

ECF (Com 1) 0.721 => TCV of Bldg: 1 = 65,109
 Replacement Cost/Floor Area= 37.97 Est. TCV/Floor Area= 9.58

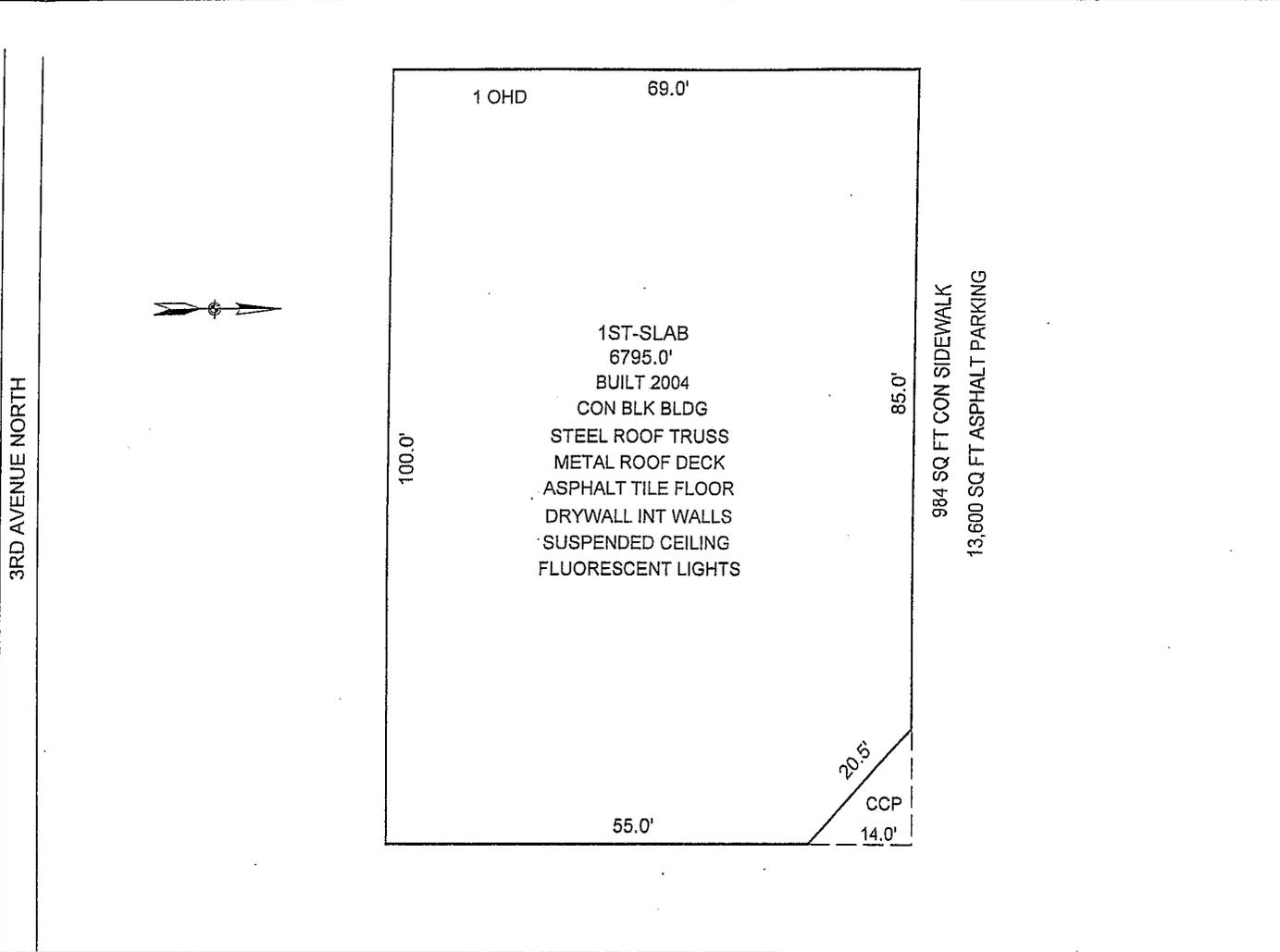
(1) Excavation/Site Prep: X Site Prep	(7) Interior: X Masonry, Discount Stores	(11) Electric and Lighting:	(39) Miscellaneous:
(2) Foundation: X Poured Conc Brick/Stone Block 6795 SqFt, Class C, Bearing Walls	(8) Plumbing: Many Above Ave. X Average Typical Few None	Outlets: X Few Average Many Unfinished Typical	Fixtures: X Few Average Many Unfinished Typical
(3) Frame: 6795 SqFt, Bearing Walls, Masonry su	2 Total Fixtures 3-Piece Baths Urinals 2-Piece Baths Wash Bowls Shower Stalls Water Heaters Toilets Wash Fountains Water Softeners	Flex Conduit Rigid Conduit X Armored Cable Non-Metallic Bus Duct	Incandescent Fluorescent Mercury Sodium Vapor Transformer
(4) Floor Structure: 6495 SqFt, Concrete, On Ground	6795 SqFt, Typical, Retail Stores	(13) Roof Structure: Slope=0 X Steel Joist, Wood or Composite D	(40) Exterior Wall: Thickness Bsmnt Insul.
(5) Floor Cover: 6795 SqFt, Vinyl Tile	(9) Sprinklers: 6795 SqFt, Standard, @ 5000 SqFt	(14) Roof Cover: X Built-Up Composite	X Block, Concrete, 8"
(6) Ceiling: X Acoustical Ceilings, Tile or Panel X Suspended Ceiling, Add	(10) Heating and Cooling: X Gas Oil Coal Stoker Hand Fired Boiler X Package Heating/Cooling, Short Ducts		

*** Information herein deemed reliable but not guaranteed***

SKETCH/AREA TABLE ADDENDUM

Parcel No 051-420-2825-200-011

Property Address 401 NORTH LINCOLN ROAD			
City ESCANABA	County Delta	State MI	Zip 49829
Owner EL DORADO INV MI LLC			
Client		Client Address 401NLRD	
Appraiser Name KEVIN DUBORD		Inspection Date DRAWN 9-21-11	



Scale: 1" = 35'

AREA CALCULATIONS SUMMARY

Code	Description	Factor	Net Size	Perimeter	Net Totals
GLA1	1ST-SLAB	1.00	6795.00	329.5	6795.00
P/P	Porch	1.00	105.00	49.5	105.00
Net LIVABLE Area			(rounded w/ factors)		6795

Comment Table 1

Comment Table 2

Comment Table 3

SKETCH/AREA TABLE ADDENDUM

Parcel No 051-420-2825-200-011

File No 401NLRD

Property Address 401 NORTH LINCOLN ROAD

City ESCANABA

County Delta

State MI

Zip 49829

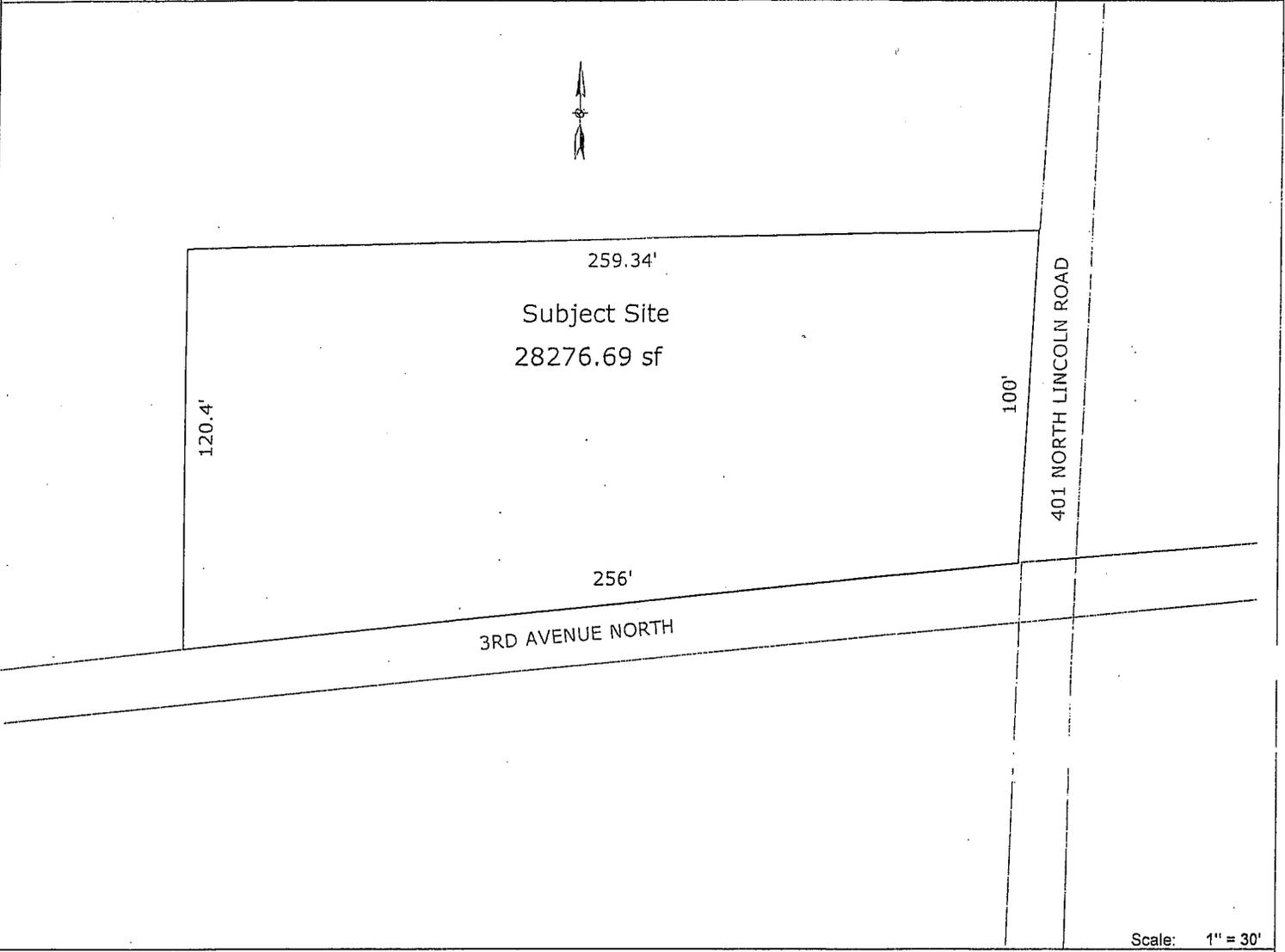
Owner EL DORADO INV MI LLC

Appraiser Name

Drawn Date 3-24-15

Modified By

SUBJECT IMPROVEMENT SKETCH SURVEY DESCRIPTION



Scale: 1" = 30'

Subject Site

Beginning at a point of the Tract described by Metes and Bounds as follows:

THENCE South 88° 48' 0" West, a distance of 259.34 Feet;

THENCE South 0° 4' 0" West, a distance of 120.40 Feet;

THENCE North 84° 12' 0" East, a distance of 256.00 Feet;

THENCE North 2° 42' 41" East, a distance of 100.07 Feet to point of beginning;

Said tract containing 0.65 acres (28276.69 sf) of land, more or less.

Perimeter = 735.81 Feet

No significant error of closure.

May 28, 2016

VIA E-FILING

Clerk
Michigan Tax Tribunal
P. O. Box 30232
Lansing, MI 48909

RE: Menards Inc V. City of Escanaba
PARCEL I.D. #051-420-2825-100-006

Dear Clerk:

Enclosed for filing are the following:

1. A Case Information Sheet.
2. A signed original of the Petition, in accordance with Tax Tribunal Rules 205(1) and 240.
3. A check for the filing fee of **\$600** made payable to the State of Michigan, in accordance with Tax Tribunal Rule 202(a)(ii).

Thank you for your prompt attention to this matter.

Very truly yours,

Paradigm Tax Group

Paul Bach

(Electronic Signature)

By: Paul Bach

REPRESENTATIVE FOR PETITIONER

**Michigan Tax Tribunal
Entire Tribunal Case Information Sheet**

1. Petitioner, Address and Phone No.: Menards Inc 4777 Menard Drive Eau Claire, WI 54703		2. Respondent, Address and Phone No.: City of Escanaba P.O. Box 948 Escanaba, MI 49829 (906) 786-9402	
3. Agent Name, Address and Phone No.: Paradigm Tax Group Paul Bach, Agent 10299 Grand River Rd., Suite M Brighton, MI 48116 (810) 844-0077 pbach@paradigmtax.com		4. Agent Name and Address, if known:	
5. Filing Fee Paid: \$600		6. Is a proof of service attached?	
Column below for Property Tax appeal only		Column below for Non-Property Tax appeal only	
A. Amount of State Equalized Value in Contention: * \$1,962,200 * For parcel with highest SEV in contention		A. Amount in Contention: Tax: \$ _____ Penalty: \$ _____ Interest: \$ _____	
B. Issue (designate one): <input checked="" type="checkbox"/> Valuation <input type="checkbox"/> Special Assessment <input type="checkbox"/> Equalization C. Reason for appeal: <input checked="" type="checkbox"/> True cash value (TCV) & taxable value (TV) TV only Uncapping: Tax Year(s) at issue: _____ Tax Bill: Tax Year(s) at issue: _____ STC Order: Tax Year(s) at issue: _____ Other (please state): _____ D. Type of Property: <input checked="" type="checkbox"/> Real <input type="checkbox"/> Personal E. Classification of Property: Commercial		B. Tax Type (designate one): <input type="checkbox"/> Aircraft Fuel Privilege <input type="checkbox"/> Airport Parking Tax <input type="checkbox"/> Estate Tax <input type="checkbox"/> Individual Income <input type="checkbox"/> Motor Carrier <input type="checkbox"/> Motor Fuel <input type="checkbox"/> Sales, Use, Withholding <input type="checkbox"/> Severance Tax <input type="checkbox"/> Single Business <input type="checkbox"/> Stadia or Convention Facility Financing <input type="checkbox"/> State Convention Facility Dev <input type="checkbox"/> State Real Estate Transfer Tax <input type="checkbox"/> Tobacco Products Other (please state): _____	
F. Tax Year(s)	G. Parcel ID No. (for parcel listed in "A" above)	C. Assessment No(s). (attach an additional sheet, if necessary)	D. Date of Issuance
2016	051-420-2825-100-006		
H. Are you appealing more than one parcel? If yes, how many? <input type="checkbox"/> NO <input checked="" type="checkbox"/>			

STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARINGS SYSTEM
MICHIGAN TAX TRIBUNAL

MENARDS INC,

Petitioner

v.

MTT Docket No. _____
Parcel No. 051-420-2825-100-006

CITY OF ESCANABA,

Respondent

ENTIRE TRIBUNAL PROPERTY TAX PETITION

Petitioner, **Menards Inc**, through its representative, Paradigm Tax Group, petitions this Tribunal as follows:

1. Property Parcel No.: **051-420-2825-100-006**
2. The property is classified **Commercial Real**, and is presently used for Commercial purposes. Petitioner believes that Petitioner's property was originally designed to be used for Commercial purposes.
3. If more than one parcel is under appeal, are the properties contiguous?
___ Yes ___ No X N/A

4. If more than one parcel of personal property is under appeal, are there also parcels of real property under appeal? ___ Yes ___ No X N/A If yes, are all of the parcels of personal property located on a parcel of real property under appeal? ___ Yes ___ No X N/A
5. If parcels of personal property are under appeal, when were the personal property statements filed by parcel number: Date _____ or X N/A
6. If the assessment or assessments at issue were required to be protested, was the protest made to Respondent's appropriate Board of Review? X Yes ___ No
7. If a protest was required and no protest was made, list the separate and specific facts upon which Petitioner relies to invoke the Tribunal's authority over the assessment or assessments at issue: N/A
8. If the appeal was not submitted by the deadline for the filing of an appeal for the classification or classifications of the properties at issue, list the separate and specific acts upon which Petitioner relies to invoke the Tribunal's authority over the assessment or assessments at issue: N/A
9. The property is located in **Delta** County. The property address is: **3300 Ludington St., Escanaba, MI 49829**
10. The assessment or assessments at issue were established by: **City of Escanaba**
11. Petitioner's legal residence or principal office address is: **4777 Menard Drive Eau Claire, WI 54703**
12. This appeal involves issues relating to:
 - X the property or properties true cash and taxable values
 - ___ the property or properties taxable value only
 - ___ If the property's taxable value is at issue, is there a dispute as to the value of an addition or loss? ___ Yes ___ No
 - X uniformity of the property or properties assessment
 - ___ the property or properties exemption from ad valorem taxation under MCL
 - ___ the classification of the property or properties

13. The tax year at issue is 2016.
14. If more than the current tax year is being appealed, list the separate and specific facts upon which Petitioner relies to invoke the Tribunal's authority over the prior tax year of years: N/A
15. The values for the property identified above as established by the Respondent's Board of Review are:

Tax Year	True Cash Value	State Equalized Value	Taxable Value
2016	\$7,584,400	\$3,792,200	\$3,792,200

16. Petitioner contends that the values for the property identified above are:

Tax Year	True Cash Value	State Equalized Value	Taxable Value
2016	\$3,660,000	\$1,830,000	\$1,830,000

17. The values in dispute for the property identified above are:

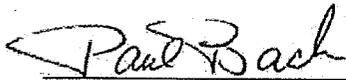
Tax Year	True Cash Value	State Equalized Value	Taxable Value
2016	\$3,924,400	\$1,962,200	\$1,962,200

18. Petitioner requests the following relief:

1. Take jurisdiction to review the 2016 assessed, state equalized and taxable values placed against the property covered by this Petition.
2. Determine that the 2016 assessed, state equalized and taxable values for the property covered by this Petition should be no higher than \$1,830,000.
3. Order that Respondent pay to Petitioner the refund attributable to the reduction in value, plus interest and costs.
4. Order such other and further relief as this Honorable Tribunal deems just and/or equitable.

19. List the separate and specific facts upon which Petitioner relies to support the relief requested:
1. The equalized assessment of the property is more than fifty percent (50%) of its true cash value in violation of applicable statutory and constitutional limitations;
 2. The assessment on the property is unlawful and is based upon the application of the wrong principles and thereby operates as a fraud upon the taxpayer;
 3. The property is assessed in a discriminatory manner in that the assessment is at a higher level of true cash value than the average level of assessment within the assessment district.
20. In accordance with Tax Tribunal Rule 221, Petitioner requests future correspondence accepted electronically.

Respectfully submitted,



By: Paul Bach
Paradigm Tax Group
10299 Grand River Road-Suite M
Brighton, MI 48116
Phone (810) 844-0077
Fax (810) 844-0069
pbach@paradigmtax.com

Dated this 28th day of May, 2016

STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

Menard, Inc.,
Petitioner,

v

MTT Docket No. 12-000264

City Of Escanaba,
Respondent.

NOTICE OF DOCKET NUMBER

TAKE NOTICE that an Entire Tribunal petition has been filed and the above-noted docket number has been assigned to that petition. This docket number **shall be noted on the petition and the petition shall be served within 45 days of the issuance of this Notice**, as required by TTR 221 and MCL 205.735a.

A proof of service **shall also be filed with the Tribunal** within 45 days of the issuance of this Notice evidencing the service of the petition. Failure to serve the petition and file a proof of service within 45 days of the issuance of the Notice will result in the dismissal of this case.

The docket number also needs to be noted on all other documents submitted in this case. Further, the assignment of the docket number does not mean that the Tribunal has authority over the petition or that the petition complies with statutory requirements or the Tribunal's rules.

If you have any questions regarding this, please call the Tribunal at (517) 373-4400.

By: /s/Cindy Maurer, Tribunal Clerk

Entered: August 9, 2016

General Property Information

City of Escanaba

[Back to Non-Printer Friendly Version] [Send To Printer]

Parcel: 051-420-2825-100-006 Unit: City of Escanaba

Property Address [collapse]

3300 LUDINGTON STREET
 ESCANABA, MI 49829

Owner Information [collapse]

MENARDS INC #3256
 3300 LUDINGTON ST
 ESCANABA, MI 49829-4223

Unit: 051

Taxpayer Information [collapse]

MENARDS INC
 4777 MENARD DR
 EAU CLAIRE, WI 54703-9604

General Information for Tax Year 2016 [collapse]

Property Class: 201 - Commercial, 201 **Assessed Value:** \$3,792,200
 21010 - Escanaba Schools
School District: 21010 **Taxable Value:** \$3,792,200
State Equalized Value: \$3,792,200 **Map #** N/A
User Num Idx 0 **Date of Last Name Chg:** 02/19/2016

Date Filed:
Notes: N/A
Census Block Group: N/A

Historical District: N/A

Principal Residence Exemption	June 1st	Final
2017	0.0000 %	-
2016	0.0000 %	0.0000 %

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2015	\$1,995,903	\$3,883,174	\$3,883,174
2014	\$4,227,711	\$1,830,000	\$1,729,638

Land Information [collapse]

	Frontage	Depth
Lot 1:	N/A	N/A
Lot 2:	N/A	N/A
Lot 3:	N/A	N/A
Total Frontage:	N/A	Average Depth: N/A

Total Acreage: N/A
Zoning Code:

Total Estimated Land Value: N/A **Mortgage Code:**
Land Improvements: \$98,612 **Lot Dimensions/Comments:** N/A
Renaissance Zone: N/A
Renaissance Zone Expiration Date: N/A

Legal Information for 051-420-2825-100-006 [collapse]

SEC 25 T39N R23W [MAP#142-6] PRT OF SE1/4 OF NW1/4 [18.35 AC] COMM @ SE COR OF SE 1/4 OF NW 1/4 OF SEC 25 TH N 0D 36M E 753.15 FT TO S ROW 3RD AVE N TH S 84D 46M W ALG EXT ROW 251.29 TO POB TH S 84D 46M W ALG EXT ROW 1070.62 FT TO W LN 1/4 TH S 0D 22M W 779.94 FT TO N ROW LUDINGTON ST TH S 89D 57M E 812.38 TH N 0D 30M E 330.01 FT TO N ROW OF 1ST AVE N EXT TH S 89D 57M E 250.33 FT TH N 0D 36M E 548.26 FT TO POB.

Sales Information

2 sale record(s) found.

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
04/03/2008	\$1,150,000.00	WD	ROBERT B AIKENS & ASSOCIATES LLC	MENARD INC	ARMS-LENGTH	912/914
03/19/2007	\$280,000.00	WD	CITY OF ESCANABA	AIKENS	WD	877/292

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[Privacy Policy](#)

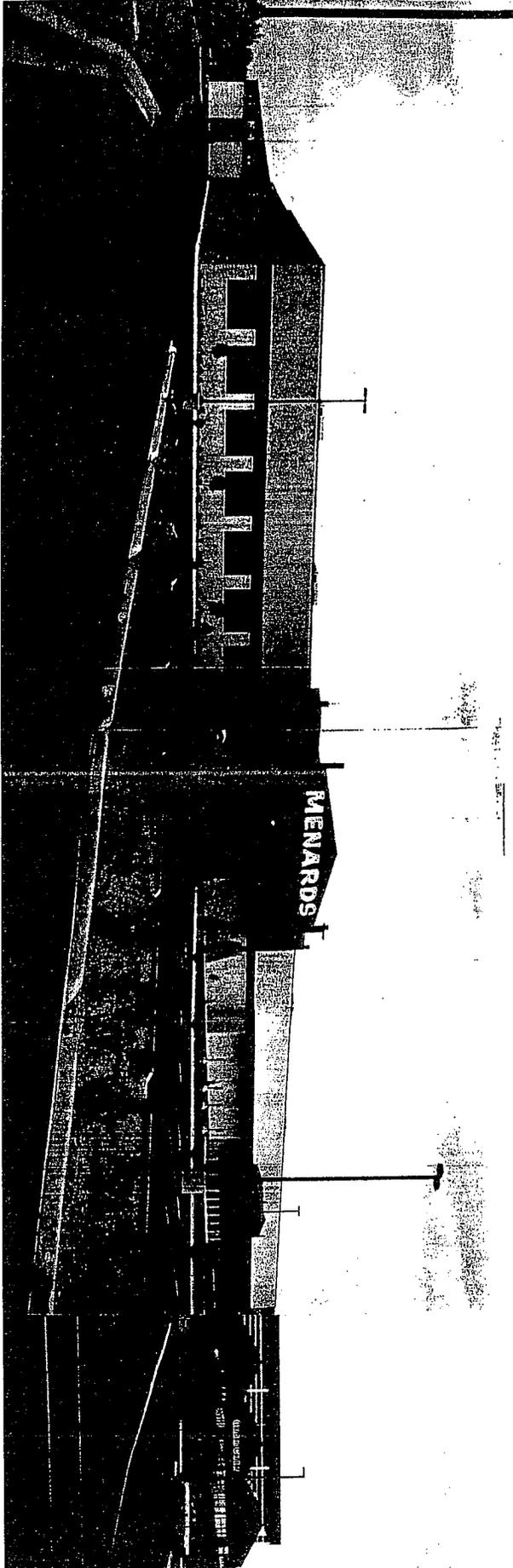
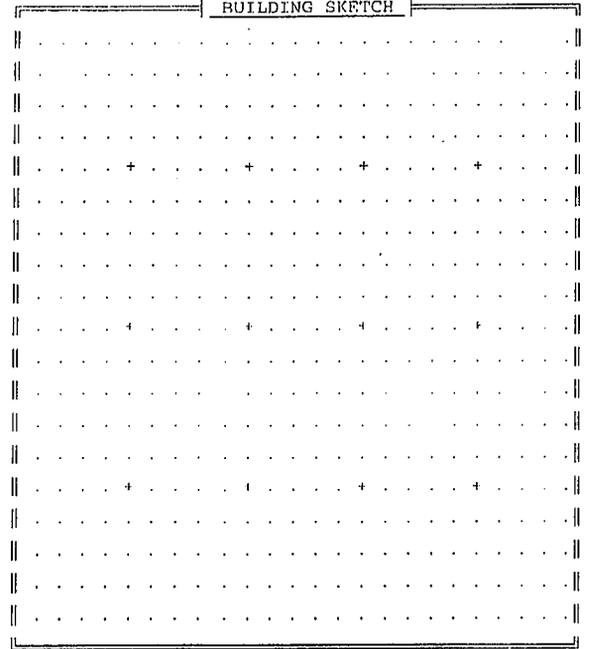
PARCEL NUMBER: 051-420-2825-100-006

NAME: MENARDS INC

STORES-DISCOUNT

IMPROVEMENTS: St/Lf/Ea Rate Cost

12. Base SqFt Costs: Masonry Walls, 159520 37.23 5938930
37.40: Low(Q) 1.26(h) .79(p)



Building/Section : 1

Building Class : C Condition : AVE
Basement Wall Ht : Checked On : EK & KD
Number of Stories: 1 Checked By : 07 OCT 2008
Perimeter/Units : 1734 Extended On : 13 FEB 2009
Ground Floor Area: 9,520 Extended By : KD
Story/Bldg Height: 30 /30
Depreciation Used: 2% NEIGHBORHOOD:
Year Built : 2008 LUDINGTON 201
Year Remodeled : Condition :
Effective Age : 2 Class :

ALL BUILDINGS	BASE COST	COST NEW	TRUE CASH
STORES-DISCOUNT	5,938,930	6,948,548	6,737,312
WHMISC	473,600	525,696	509,715

THIS BUILDING: BASE COST : 5,938,930
MULTIPLIER : 1.170000 ESTIMATED COST NEW: 6,948,548
DEP*FUNC*ECON: .960000 DEPRECIATED COST : 6,670,606
BUILDING ECF : 1.010000 TRUE CASH VALUE : 6,737,312

TOTAL BUILDING(S) TRUE CASH VALUE: 7,247,027

PARCEL ID: 051-420-2825-100-006

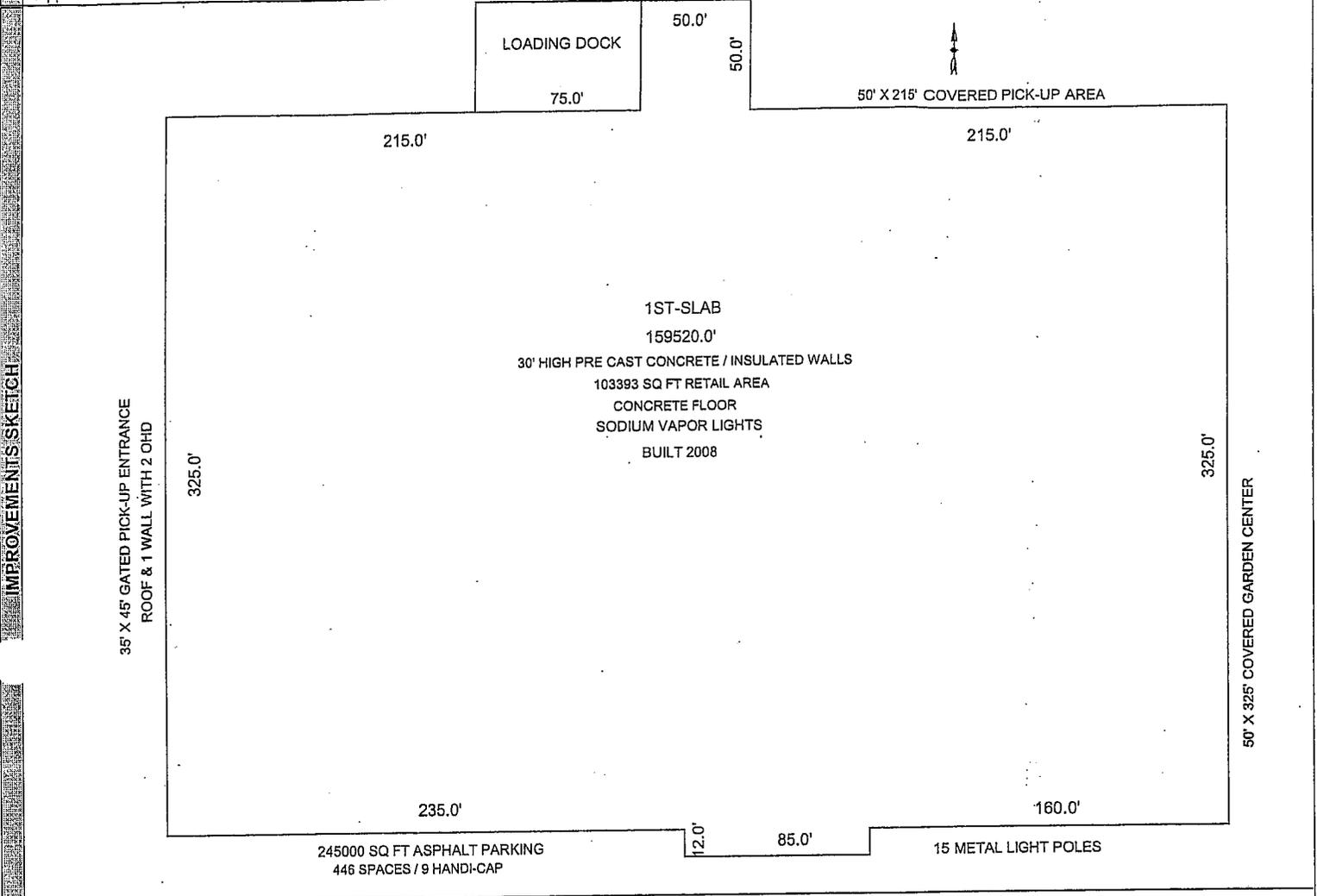
SKETCH/AREA TABLE ADDENDUM

Parcel No 3300LUDS

File No 051-420-2825-100-006

JECT	Property Address 3300 LUDINGTON STREET	State	Zip
	City		
	Owner		
	Client		

Appraiser Name KEVIN DUBORD Inspection Date DRAWN 10-7-08



IMPROVEMENTS SKETCH

AREA CALCULATIONS

3300 LUDINGTON STREET

AREA CALCULATIONS SUMMARY					
Code	Description	Factor	Net Size	Perimeter	Net Totals
GLA1	1ST-SLAB	1.00	159520.0	1734.0	159520.0
OTH	Perimeter	1.00	3750.0	250.0	3750.0
Net LIVABLE Area (Rounded w/ Factors)					159520

Comment Table 1	
Comment Table 2	Comment Table 3

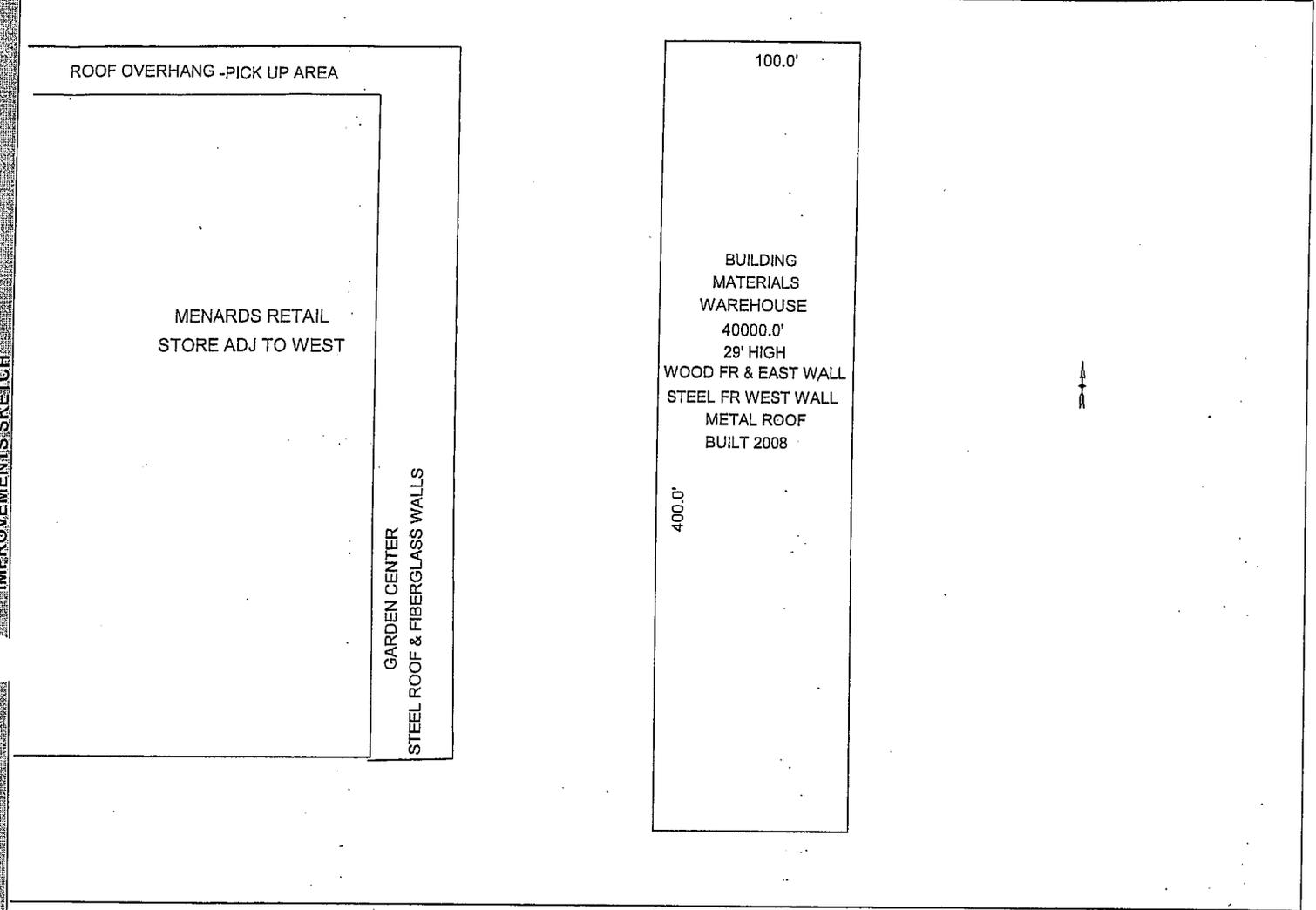
SKETCH/AREA TABLE ADDENDUM

Parcel No 3228LUDS

File No 051-420-2825-100-006

JEC	Property Address 3228 LUDINGTON STREET		
	City	State	Zip
	Owner		
	Client		

Appraiser Name KEVIN DUBORD	Inspection Date DRAWN 10-7-08
-----------------------------	-------------------------------



3228 LUDINGTON STREET

AREA CALCULATIONS SUMMARY						Comment Table 1	
Code	Description	Factor	Net Size	Perimeter	Net Totals		
GAR	Garage	1.00	40000.0	1000.0	40000.0		
						Comment Table 2	Comment Table 3

AREA CALCULATIONS

May 27, 2016

VIA E-FILING

Clerk
Michigan Tax Tribunal
P. O. Box 30232
Lansing, MI 48909

RE: Shopko Prop SPE #16 V. City of Escanaba
PARCEL I.D. #051-420-2825-200-022

Dear Clerk:

Enclosed for filing are the following:

1. A Case Information Sheet.
2. A signed original of the Petition, in accordance with Tax Tribunal Rules 205(1) and 240.
3. A check for the filing fee of **\$600** made payable to the State of Michigan, in accordance with Tax Tribunal Rule 202(a)(ii).

Thank you for your prompt attention to this matter.

Very truly yours,

Paradigm Tax Group

Paul Bach

(Electronic Signature)

By: Paul Bach

REPRESENTATIVE FOR PETITIONER

**Michigan Tax Tribunal
Entire Tribunal Case Information Sheet**

1. Petitioner, Address and Phone No.: Shopko Prop SPE #16 PO Box 19060 Green Bay, WI 54307		2. Respondent, Address and Phone No.: City of Escanaba P.O. Box 948 Escanaba, MI 49829 (906) 786-9402	
3. Agent Name, Address and Phone No.: Paradigm Tax Group Paul Bach, Agent 34405 W. 12 Mile Rd., Suite 215 Farmington Hills, MI 48331 (810) 844-0077 pbach@paradigmtax.com		4. Agent Name and Address, if known:	
5. Filing Fee Paid: \$600		6. Is a proof of service attached?	
Column below for Property Tax appeal only		Column below for Non-Property Tax appeal only	
A. Amount of State Equalized Value in Contention: * \$1,083,146 * For parcel with highest SEV in contention		A. Amount in Contention: Tax: \$ _____ Penalty: \$ _____ Interest: \$ _____	
B. Issue (designate one): <input checked="" type="checkbox"/> Valuation Special Assessment Equalization C. Reason for appeal: <input checked="" type="checkbox"/> True cash value (TCV) & taxable value (TV) TV only Uncapping: Tax Year(s) at issue: _____ Tax Bill: Tax Year(s) at issue: _____ STC Order: Tax Year(s) at issue: _____ Other (please state): _____ D. Type of Property: <input checked="" type="checkbox"/> Real <input type="checkbox"/> Personal E. Classification of Property: Commercial		B. Tax Type (designate one): Aircraft Fuel Privilege Airport Parking Tax Estate Tax Individual Income Motor Carrier Motor Fuel Sales, Use, Withholding Severance Tax Single Business Stadia or Convention Facility Financing State Convention Facility Dev State Real Estate Transfer Tax Tobacco Products Other (please state): _____	
F. Tax Year(s)	G. Parcel ID No. (for parcel listed in "A" above)	C. Assessment No(s). (attach an additional sheet, if necessary)	D. Date of Issuance
2016	051-420-2825-200-022		
H. Are you appealing more than one parcel? If yes, how many? <input type="checkbox"/> NO <input checked="" type="checkbox"/> X			

**STATE OF MICHIGAN
DEPARTMENT OF LICENSING & REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARINGS SYSTEM
MICHIGAN TAX TRIBUNAL**

SHOPKO PROP SPE #16,

Petitioner

v.

MTT Docket No. _____
Parcel No. **051-420-2825-200-022**

CITY OF ESCANABA,

Respondent

ENTIRE TRIBUNAL PROPERTY TAX PETITION

Petitioner, **Shopko Prop SPE #16**, through its representative, Paradigm Tax Group, petitions this Tribunal as follows:

1. Property Parcel No.: **051-420-2825-200-022**
2. The property is classified **Commercial Real**, and is presently used for Commercial purposes. Petitioner believes that Petitioner's property was originally designed to be used for Commercial purposes.
3. If more than one parcel is under appeal, are the properties contiguous?
 Yes No **X** N/A

4. If more than one parcel of personal property is under appeal, are there also parcels of real property under appeal? ___ Yes ___ No X N/A If yes, are all of the parcels of personal property located on a parcel of real property under appeal? ___ Yes ___ No X N/A
5. If parcels of personal property are under appeal, when were the personal property statements filed by parcel number: Date _____ or X N/A
6. If the assessment or assessments at issue were required to be protested, was the protest made to Respondent's appropriate Board of Review? X Yes ___ No
7. If a protest was required and no protest was made, list the separate and specific facts upon which Petitioner relies to invoke the Tribunal's authority over the assessment or assessments at issue: N/A
8. If the appeal was not submitted by the deadline for the filing of an appeal for the classification or classifications of the properties at issue, list the separate and specific acts upon which Petitioner relies to invoke the Tribunal's authority over the assessment or assessments at issue: N/A
9. The property is located in **Delta** County. The property address is: **2530 1st Ave. North, Escanaba, MI 49829**
10. The assessment or assessments at issue were established by: **City of Escanaba**
11. Petitioner's legal residence or principal office address is: **PO Box 19060 Green Bay, WI 54307**
12. This appeal involves issues relating to:
 - X the property or properties true cash and taxable values
 - ___ the property or properties taxable value only
 - ___ If the property's taxable value is at issue, is there a dispute as to the value of an addition or loss? ___ Yes ___ No
 - X uniformity of the property or properties assessment
 - ___ the property or properties exemption from ad valorem taxation under MCL
 - ___ the classification of the property or properties

13. The tax year at issue is 2016.
14. If more than the current tax year is being appealed, list the separate and specific facts upon which Petitioner relies to invoke the Tribunal's authority over the prior tax year of years: N/A
15. The values for the property identified above as established by the Respondent's Board of Review are:

Tax Year	True Cash Value	State Equalized Value	Taxable Value
2016	\$3,507,292	\$1,753,646	\$1,753,646

16. Petitioner contends that the values for the property identified above are:

Tax Year	True Cash Value	State Equalized Value	Taxable Value
2016	\$1,341,000	\$ 670,500	\$ 670,500

17. The values in dispute for the property identified above are:

Tax Year	True Cash Value	State Equalized Value	Taxable Value
2016	\$2,166,292	\$1,083,146	\$1,083,146

18. Petitioner requests the following relief:
 1. Take jurisdiction to review the 2016 assessed, state equalized and taxable values placed against the property covered by this Petition.
 2. Determine that the 2016 assessed, state equalized and taxable values for the property covered by this Petition should be no higher than \$ 670,500.
 3. Order that Respondent pay to Petitioner the refund attributable to the reduction in value, plus interest and costs.
 4. Order such other and further relief as this Honorable Tribunal deems just and/or equitable.

19. List the separate and specific facts upon which Petitioner relies to support the relief requested:

1. The equalized assessment of the property is more than fifty percent (50%) of its true cash value in violation of applicable statutory and constitutional limitations;
2. The assessment on the property is unlawful and is based upon the application of the wrong principles and thereby operates as a fraud upon the taxpayer;
3. The property is assessed in a discriminatory manner in that the assessment is at a higher level of true cash value than the average level of assessment within the assessment district.

20. In accordance with Tax Tribunal Rule 221, Petitioner requests future correspondence accepted electronically.

Respectfully submitted,



By: Paul Bach
Paradigm Tax Group
34405 W. 12 Mile Rd., Suite 215
Farmington Hills, MI 48331
Phone (810) 844-0077
Fax (810) 844-0069
pbach@paradigmatx.com

Dated this 27th Day of May, 2016

General Property Information

City of Escanaba

[Back to Non-Printer Friendly Version] [Send To Printer]

Parcel: 051-420-2825-200-022 Unit: City of Escanaba

Property Address [collapse]

2530 1ST AVENUE NORTH
ESCANABA, MI 49829

Owner Information [collapse]

SHOPKO PROP SPE #16
2530 1ST AVE N
ESCANABA, MI 49829-1396

Unit: 051

Taxpayer Information [collapse]

SHOPKO PROP SPE RE LLC
PO BOX 19060
GREEN BAY, WI 54307-9060

General Information for Tax Year 2016 [collapse]

Property Class: 201 - Commercial, 201 **Assessed Value:** \$1,753,646
School District: 21010 - Escanaba Schools **Taxable Value:** \$1,753,646
State Equalized Value: \$1,753,646 **Map #:** N/A
User Num Idx: 0 **Date of Last Name Chg:** 02/19/2016

Date Filed:
Notes: N/A
Historical District: N/A **Census Block Group:** N/A

Principal Residence Exemption **June 1st** **Final**
2017 0.0000 % -
2016 0.0000 % 0.0000 %

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2015	\$1,797,174	\$1,797,174	\$1,797,174
2014	\$1,821,801	\$1,821,801	\$1,821,801

Land Information [collapse]

	Frontage	Depth
Lot 1:	N/A	N/A
Lot 2:	N/A	N/A
Lot 3:	N/A	N/A
Total Frontage:	N/A	Average Depth: N/A

Total Acreage: N/A

Zoning Code:

Total Estimated Land Value: N/A **Mortgage Code:**
Land Improvements: \$102,410 **Lot Dimensions/Comments:** N/A
Renaissance Zone: N/A
Renaissance Zone Expiration Date: N/A

Legal Information for 051-420-2825-200-022 [collapse]

PRT S 1/2 NE 1/4 SEC 25 T39N R23W COM @ E 1/4 COR TH N 0D 39M E 211.81 FT TH N 89D 14M 40S W 50 FT TO PT ON N ROW 1ST AVE N & W ROW M-35 TH N 89D 58M W 881.1 FT TO POB TH N 89D 58M W 446.38 FT TH N 0D 02M E 686.48 FT TO S ROW 3RD AVE N TH N 84D 50M E 449.36 FT TH S 0D 05M 39S W 366.06 FT TH S 0D 07M 47S W 69 FT TH N 89D 52M 13S W 23.38 FT TH S 0D 07M 47S W 192 FT TH S 89D 52M 13S E 23.38 FT TH S 0D 07M 47S W 100 FT TO POB AC #143-2B 2530 1ST AVENUE NORTH 7.2079 AC M/L

Sales Information

2 sale record(s) found.						
Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
05/20/2006	\$4,970,071.00	WD	SHOPKO PROPERTIES SPE RE LLC	SPIRIT SPE	QCD	836/41
01/27/2006	\$4,900,000.00	WD	SHOPKO PROPERTIES LLC	SHOPKO PROPERTIES SPE REAL ESTATE	QCD	836/41

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A#143-2B

Parcel Number: 051-420-2825-200-022

Jurisdiction: City of Escanaba

County: Delta

Printed on

J1/28/2014

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
SHOPKO PROPERTIES SPE RE	SPIRIT SPE	4,970,071	05/20/2006	WD	QCD	836/41		0.0
SHOPKO PROPERTIES LLC	SHOPKO PROPERTIES SPE REA	4,900,000	01/27/2006	WD	QCD	836/41		0.0

Property Address	Class: Commercial, 201	Zoning:	Building Permit(s)	Date	Number	Status
2530 1ST AVENUE NORTH	School: Escanaba Schools	21010		09/10/2010	100237	
Owner's Name/Address	P.R.E. 0%			04/23/2008	080042	
SHOPKO PROP SPE #16 2530 1ST AVENUE NORTH ESCANABA MI 49829	Map #: 143-2B					
	2014 Est TCV Tentative					

Taxpayer's Name/Address	X Improved	Vacant	Land Value Estimates for Land Table 93.COMM OFF MAIN							
			Description	Frontage	Depth	Front	Depth	Rate %Adj. Reason	Value	
SHOPKO PROP SPE RE LLC P O BOX 19060 GREEN BAY WI 54307	X		COM ADJ MAIN	449.36	414.77	1.0000	1.0000	500	100	224,680
	X		COM ADJ MAIN	423.00	292.00	1.0000	1.0000	500	100	211,500
	X		COM ADJ MAIN	23.38	100.00	1.0000	1.0000	500	100	11,690
	X		896 Actual Front Feet, 7.17 Total Acres Total Est. Land Value = 447,870							
	X		Land Improvement Cost Estimates							

Tax Description	X	Description	Rate	CountyMult.	Size	%Good	Cash Value		
							D/W/P: Asphalt Paving		
PRT S 1/2 NE 1/4 SEC 25 T39N R23W COM @ E 1/4 COR TH N OD 39M E 211.81 FT TH N 89D 14M 40S W 50 FT TO PT ON N ROW 1ST AVE N & W ROW M-35 TH N 89D 58M W 881.1 FT TO POB TH N 89D 58M W 446.38 FT TH N OD 02M E 686.48 FT TO S ROW 3RD AVE N TH N 84D 50M E 449.36 FT TH S OD 05M 39S W 366.06 FT TH S OD 07M 47S W 69 FT TH N 89D 52M	X	Electric	1.61	1.27	207700	50	212,342		
	X	Gas	Commercial/Industrial Local Cost Land Improvements						
	X	Curb	Rate	CountyMult.	Size	%Good	%Arch.Mult	Cash Value	
	X	Street Lights	2500.00	1.00	1.0	98	100	2,450	
	X	Standard Utilities	Total Estimated Land Improvements True Cash Value = 214,792						

Work Description for Permit 100237, Issued 09/10/2010: ALTER BATHROOMS
 Work Description for Permit 080042, Issued 04/23/2008: INT RENO HEALTH CLINIC



Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
2014	Tentative	Tentative	Tentative			Tentative
2013	144,950	1,657,909	1,802,859			1,802,859S
2012	100,350	1,881,938	1,982,288			1,866,559C
2011	2,146,689	0	2,146,689			1,817,487C

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 Licensed To: City of Escanaba, County of Delta, Michigan

*** Information herein deemed reliable but not guaranteed***

SKETCH/AREA TABLE ADDENDUM

Parcel No 051-420-2825-200-022

Property Address 2530 1ST AVENUE NORTH

City ESCANABA

County Delta

State MI

Zip 49829

Owner SHOPKO PROP SPE RE LLC

Client

Client Address 25301AN

Appraiser Name KEVIN DUBORD

Inspection Date DRAWN 8-16-12

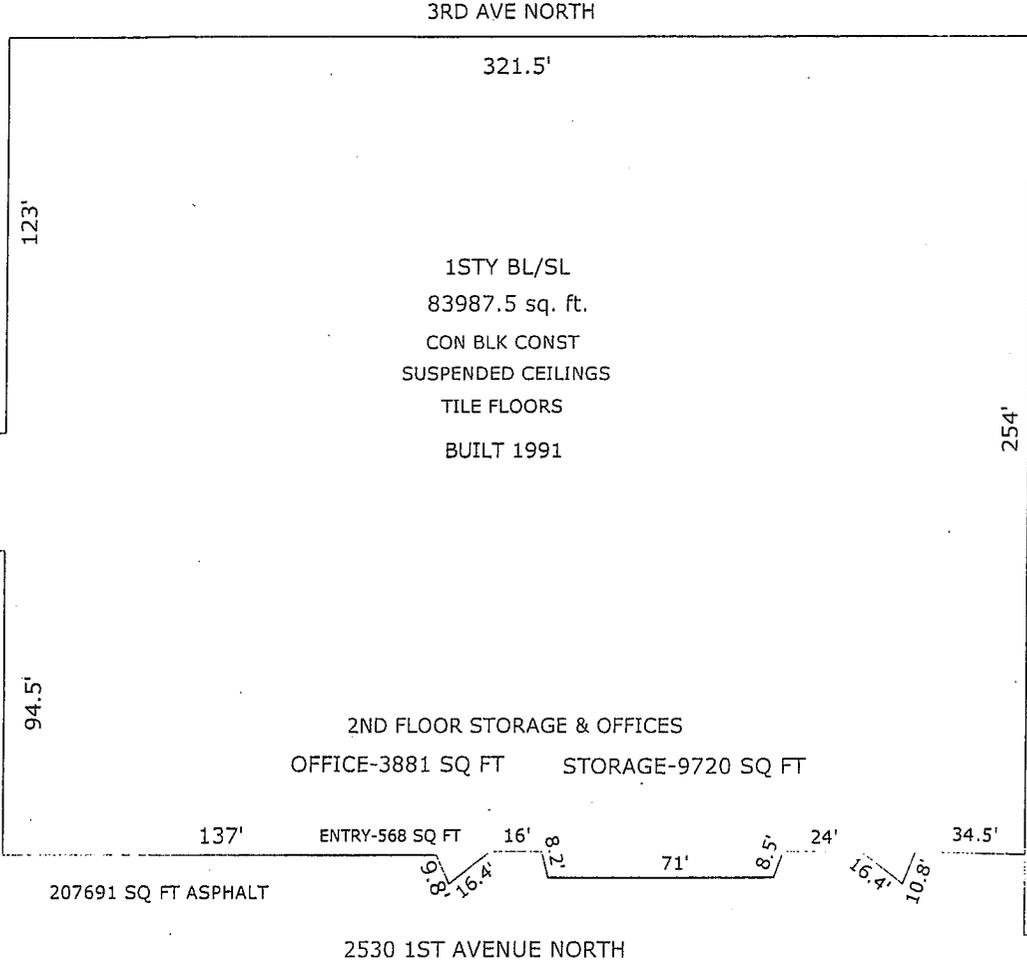
SUBJECT

IMPROVEMENTS SKETCH

AREA CALCULATIONS



47.5'
LOADING DOCK
1733 SQ FT



ADJ TO MALL

Scale: 1" = 50'

AREA CALCULATIONS SUMMARY

Code	Description	Factor	Net Size	Perimeter	Net Totals
GBA25	1STY BL/SL	1.00	83987.50	1277.2	83987.50
Net BUILDING Area (rounded w/ factors)					83988

Comment Table 1	
Comment Table 2	Comment Table 3

SKETCH/AREA TABLE ADDENDUM

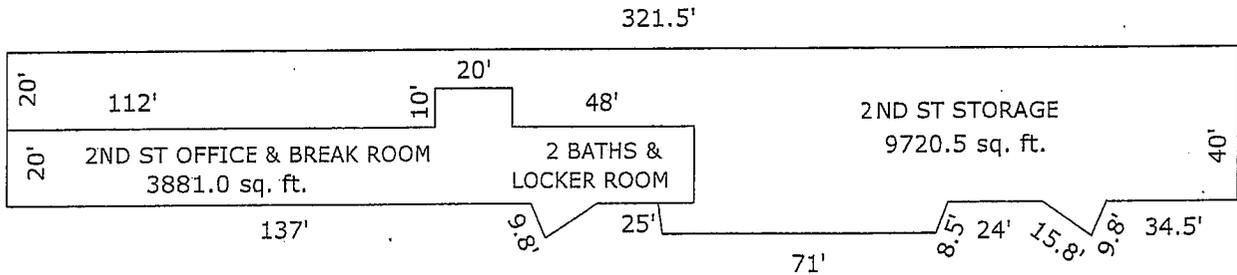
Parcel No 051-420-2825-200-022

File No 25301AS-2

City	Property Address 2530 1ST AVENUE SOUTH	State	Zip
Owner	Client Address 25301AS-2		
Client	Inspection Date DRAWN 8-16-12		
Appraiser Name KEVIN DUBORD			

IMPROVEMENTS SKETCH

2ND ST ON SOUTH END OF BLDG OVER SERVICE DESK & ENTRIES



Scale: 1" = 50'

AREA CALCULATIONS SUMMARY

Code	Description	Factor	Net Size	Perimeter	Net Totals
GLA2	Second Floor	1.00	3881.00	428.5	13601.50
	Second Floor	1.00	9720.50	782.3	
Net LIVABLE Area (rounded w/ factors)					13602

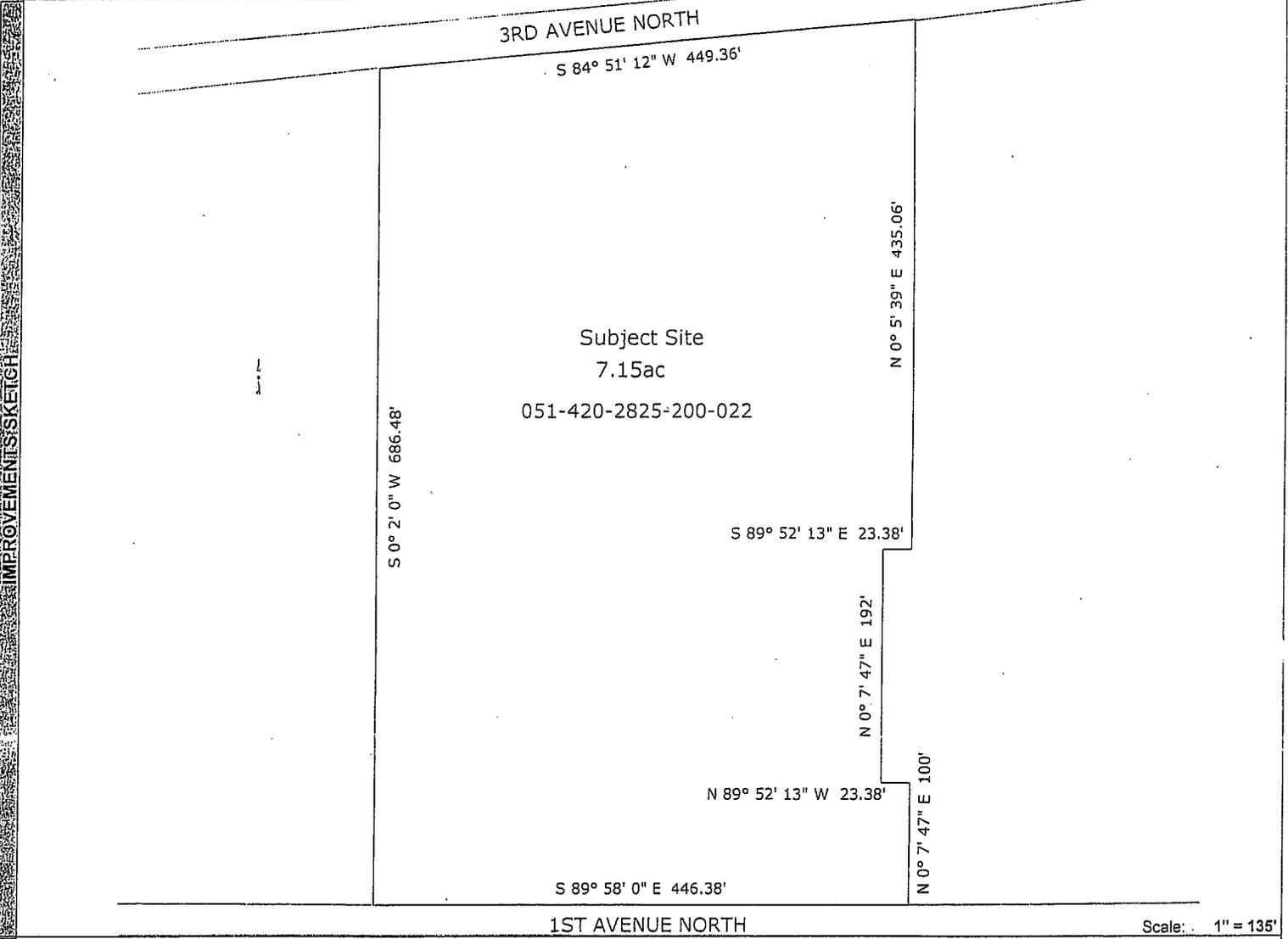
Comment Table 1	
Comment Table 2	Comment Table 3

SKETCH/AREA TABLE ADDENDUM

Parcel No 051-420-2825-200-022

File No 25301AN

SUBJECT	Property Address 2530 1ST AVENUE NORTH		
	City ESCANABA	County Delta	State MI
	Owner SHOPKO PROP SPE #16		
	Appraiser Name		Drawn Date 1-27-14
Modified By			



Scale: 1" = 135'

Subject Site
 Beginning at a point of the Tract described by Metes and Bounds as follows:
 THENCE South 89° 58' 0" East, a distance of 446.38 Feet;
 THENCE North 0° 7' 47" East, a distance of 100.00 Feet;
 THENCE North 89° 52' 13" West, a distance of 23.38 Feet;
 THENCE North 0° 7' 47" East, a distance of 192.00 Feet;
 THENCE South 89° 52' 13" East, a distance of 23.38 Feet;
 THENCE North 0° 5' 39" East, a distance of 435.06 Feet;
 THENCE South 84° 51' 12" West, a distance of 449.36 Feet;
 THENCE South 0° 2' 0" West, a distance of 686.48 Feet;
 THENCE South 87° 20' 31" East, a distance of 0.19 Feet to point of beginning;
 Said tract containing 7.15 acres (311502.88 sf) of land, more or less.
 Perimeter = 2356.23 Feet
 No significant error of closure.

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

UP ENTERPRISES LLC/DAGENAIS REAL ESTATE INC,
Petitioner,

v

MTT Docket No. 16-003290

City of Escanaba,
Respondent.

PROOF OF SERVICE

County of Wayne
State of Michigan

Karen Cameron, who being duly sworn, deposes and says that on the 25th day of July 2016 she served a true copy of the PETITION to:

Daina Norden, Assessor
City of Escanaba
410 Ludington St
PO Box 948
Escanaba, MI 49829

Equalization Director
Delta County
310 Ludington St
Escanaba, MI 49829

Robert S. Richards, City Clerk
410 Ludington St
PO Box 948
Escanaba, MI 49829

Nancy Kolich, County Clerk
Delta County
310 Ludington St.
Escanaba, MI 49829

Natalie Clouse, Secretary
Escanaba Public Schools
1500 Ludington St
Escanaba, MI 49829

State Treasurer
Michigan Department of Treasury
Lansing, MI 48922

by placing said document in envelopes to the above parties with postage fully prepared, and depositing said envelopes in a receptacle for United States mail.



Karen Cameron
GSA PROPERTY TAX CONSULTANTS
38110 Executive Drive, Suite 100
Westland, MI 48185-3132

2600 Ludington
ST

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

UP ENTERPRISES LLC/DAGENAIS REAL ESTATE INC,
Petitioner,

v

MTT Docket No. 16-003290

City of Escanaba,
Respondent.

PETITION

Petitioner, UP ENTERPRISES LLC/DAGENAIS REAL ESTATE INC, through their representative, GSA Property Tax Consultants, petitions this Tribunal as follows:

1. Petitioner is UP ENTERPRISES LLC/DAGENAIS REAL ESTATE INC, whose principal office or legal address is 1505 N. Lincoln Road, Escanaba, MI 49829.
2. Respondent, City of Escanaba, levies and collects the property taxes on the subject property.
3. The property identification numbers are 051-420-2825-400-003, 051-420-2825-400-002, 051-420-2825-400-041 and the property is classified as commercial real.
4. The parcels are contiguous.
5. The property is located in the County of Delta and the school districts of Escanaba Public, Delta Intermediate, and the Community College is Bay de Noc.
6. This matter involves issues relating to assessed and taxable values.
7. At this time, Petitioner believes, as it relates to taxable value, that there is a dispute relative of a loss.
8. For tax year 2016, Respondent determined the following values:

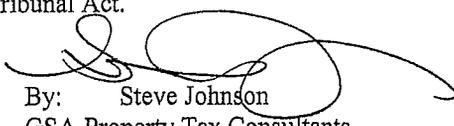
<u>Parcel ID Number</u>	<u>Assessed</u>	<u>State Equalized</u>	<u>Taxable</u>
051-420-2825-400-003	684,157	684,157	684,157
051-420-2825-400-002	146,147	146,147	146,147
051-420-2825-400-041	507,380	507,380	461,110
Totals	1,337,684	1,337,684	1,291,414

9. Our initial review of the subject property indicates the assessment exceeds 50% of true cash value and is not uniform with others in its class.
10. Petitioner's contention of value is the following:

<u>Parcel ID Number</u>	<u>True Cash</u>	<u>State Equal</u>	<u>Taxable</u>	<u>Contention</u>
051-420-2825-400-003	750,000	375,000	375,000	309,157
051-420-2825-400-002	200,000	100,000	100,000	46,147
051-420-2825-400-041	500,000	250,000	250,000	257,380
Totals	1,450,000	725,000	725,000	612,684

11. Petitioner requests that the Tribunal reduce the values as indicated above and order a refund with interest as provided by the Tax Tribunal Act.

Dated: May 31, 2016


By: Steve Johnson
GSA Property Tax Consultants
38110 Executive Drive, Suite 100
Westland, MI 48185-3132
Phone: 734-595-7727



property tax consultants

38110 Executive Drive
Suite 100
Westland, MI 48185-3132

Phone: (734) 595-7727
Fax: (734) 595-7736
www.gsatax.com

May 31, 2016

TransInfo:4606 21387666-1 06/01/16
Chk#: 5019 Amt: \$212.50
ID: U P ENTERPRISES LLC

Ms. Jennifer Andreau, Chief Clerk
Michigan Tax Tribunal
Po Box 30232
611 W. Ottawa, 4th floor
Lansing, MI 48909

RE: 2016 Property Tax Appeal
UP ENTERPRISES LLC/DAGENAIS REAL ESTATE INC v City of Escanaba
Parcel ID#: 051-420-2825-400-003, 051-420-2825-400-041

Dear Ms. Andreau:

Enclosed please find PETITION for the above-referenced property. This mail is being sent via certified mail # 7011 0470 0002 8626 0983.

Please process in your usual manner.

Sincerely,

Steve Johnson
GSA Property Tax Consultants

Enclosure

TransInfo:4606 21387666-1 06/01/16
Chk#: 29534 Amt: \$212.50
ID: DAGENAIS REAL ESTATE INC

TOYOTA

AmD
531-16

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

UP ENTERPRISES LLC/DAGENAIS REAL ESTATE INC,
Petitioner,

v

MTT Docket No.

City of Escanaba,

Respondent.

PETITION

Petitioner, UP ENTERPRISES LLC/DAGENAIS REAL ESTATE INC, through their representative, GSA Property Tax Consultants, petitions this Tribunal as follows:

1. Petitioner is UP ENTERPRISES LLC/DAGENAIS REAL ESTATE INC, whose principal office or legal address is 1505 N. Lincoln Road, Escanaba, MI 49829.
2. Respondent, City of Escanaba, levies and collects the property taxes on the subject property.
3. The property identification numbers are 051-420-2825-400-003, 051-420-2825-400-041 and the property is classified as commercial real.
4. The parcels are contiguous.
5. The property is located in the County of Delta and the school districts of Escanaba Public, Delta Intermediate, and the Community College is Bay de Noc.
6. This matter involves issues relating to assessed and taxable values.
7. At this time, Petitioner believes, as it relates to taxable value, that there is a dispute relative of a loss.
8. For tax year 2016, Respondent determined the following values:

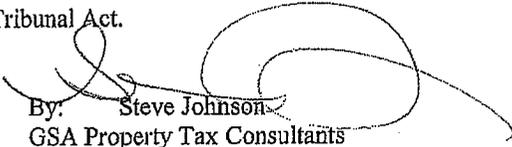
<u>Parcel ID Number</u>	<u>Assessed</u>	<u>State Equalized</u>	<u>Taxable</u>
051-420-2825-400-003	684,157	684,157	684,157
051-420-2825-400-041	507,380	507,380	461,110
Totals	1,191,537	1,191,537	1,145,267

9. Our initial review of the subject property indicates the assessment exceeds 50% of true cash value and is not uniform with others in its class.
10. Petitioner's contention of value is the following:

<u>Parcel ID Number</u>	<u>True Cash</u>	<u>State Equal</u>	<u>Taxable</u>	<u>Contention</u>
051-420-2825-400-003	750,000	375,000	375,000	309,157
051-420-2825-400-041	500,000	250,000	250,000	257,380
Totals	1,250,000	625,000	625,000	566,537

11. Petitioner requests that the Tribunal reduce the values as indicated above and order a refund with interest as provided by the Tax Tribunal Act.

Dated: May 31, 2016

By:  Steve Johnson
GSA Property Tax Consultants
38110 Executive Drive, Suite 100
Westland, MI 48185-3132
Phone: 734-595-7727

General Property Information

City of Escanaba

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Parcel: 051-420-2825-400-003 **Unit:** City of Escanaba

Property Address [collapse]

2600 LUDINGTON STREET
ESCANABA, MI 49829

Owner Information [collapse]

UP ENTERPRISES LLC
1505 N LINCOLN RD
ESCANABA, MI 49829-1834

Unit: 051

Taxpayer Information [collapse]

DAGENAIS ENTERPRISES
1505 N LINCOLN RD
ESCANABA, MI 49829-1834

General Information for Tax Year 2016 [collapse]

Property Class:	201 - Commercial, 201	Assessed Value:	\$684,157
School District:	21010 - Escanaba Schools	Taxable Value:	\$684,157
State Equalized Value:	21010	Map #	N/A
User Num Idx	\$684,157	Date of Last Name Chg:	02/19/2016
	0	Date Filed:	
		Notes:	N/A
Historical District:	N/A	Census Block Group:	N/A

Principal Residence Exemption	June 1st	Final
2017	0.0000 %	-
2016	0.0000 %	0.0000 %

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2015	\$694,018	\$694,018	\$694,018
2014	\$707,909	\$707,909	\$689,806

Land Information [collapse]

	Frontage	Depth
Lot 1:	N/A	N/A
Lot 2:	N/A	N/A
Lot 3:	N/A	N/A
Total Frontage:	N/A	Average Depth: N/A

Total Acreage: N/A

Zoning Code:

Total Estimated Land Value: N/A

Land Improvements: \$27,526

Renaissance Zone: N/A

Renaissance Zone Expiration Date: N/A

Mortgage Code: 00102

Lot Dimensions/Comments: N/A

Legal Information for 051-420-2825-400-003 [collapse]

SEC 25 T39N R23W PRT NW 1/4 SE 1/4 COM 80 FT W W LN LOT 14 BLK 13 CITY CTR ADD #3 TH W ALG HWY 350 FT TH N 176.52 FT TH E 350 FT TH S 172 FT M/L TO POB & PRT SW 1/4 NE 1/4 BEG 205 FT W COR LOT 15 BLK 13 CITY CTR ADD #3 TH W 475 FT TH S 107.58 FT TH E 475.03 FT TH N 115 FT M/L TO POB AC #162 BRN #12 7/07 ORIG TV 284652

Sales Information

1 sale record(s) found.

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
12/09/1997	\$825,000.00	WD	BERRO LYLE L & DIANE L	UP ENTERPRISES LLC	WD	493/821

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Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
BERRO LYLE L & DIANE L	UP ENTERPRISES LLC	825,000	12/09/1997	WD	WD	493/821		0.0

Property Address	Class: Commercial, 201	Zoning:	Building Permit(s)	Date	Number	Status
2600 LUDINGTON STREET	School: Escanaba Schools 21010			12/05/2006	060448	
Owner's Name/Address	P.R.E. 0%					
UP ENTERPRISES LLC 1505 NORTH LINCOLN ROAD ESCANABA MI 49829	Map #: 162					
	2015 Est TCV Tentative					

Tax Description	X Improved	Vacant	Land Value Estimates for Land Table 91.LUDINGTON 201																																				
SEC 25 T39N R23W PRT NW 1/4 SE 1/4 COM 80 FT W LN LOT 14 BLK 13 CITY CTR ADD #3 TH W ALG HWY 350 FT TH N 176.52 FT TH E 350 FT TH S 172 FT M/L TO POB & PRT SW 1/4 NE 1/4 BEG 205 FT W COR LOT 15 BLK 13 CITY CTR ADD #3 TH W 475 FT TH S 107.58 FT TH E 475.03 FT TH N 115 FT M/L TO POB AC #162 BRN #12 7/07 ORIG TV 284652			<p>Public Improvements</p> <p>* Factors *</p> <p>350 X 172</p> <table border="1"> <thead> <tr> <th>Description</th> <th>Frontage</th> <th>Depth</th> <th>Front</th> <th>Depth</th> <th>Rate</th> <th>%Adj.</th> <th>Reason</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>LUD-W OF LINC A</td> <td>350.00</td> <td>172.00</td> <td>1.0000</td> <td>1.0000</td> <td>1000</td> <td>100</td> <td>350 X 172</td> <td>350,000</td> </tr> <tr> <td>LUD FFA</td> <td>425.00</td> <td>107.00</td> <td>0.1967</td> <td>1.0000</td> <td>635</td> <td>46</td> <td>OFF MAIN</td> <td>24,425</td> </tr> <tr> <td colspan="8">775 Actual Front Feet, 2.43 Total Acres</td> <td>Total Est. Land Value = 374,425</td> </tr> </tbody> </table>	Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value	LUD-W OF LINC A	350.00	172.00	1.0000	1.0000	1000	100	350 X 172	350,000	LUD FFA	425.00	107.00	0.1967	1.0000	635	46	OFF MAIN	24,425	775 Actual Front Feet, 2.43 Total Acres								Total Est. Land Value = 374,425
Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value																															
LUD-W OF LINC A	350.00	172.00	1.0000	1.0000	1000	100	350 X 172	350,000																															
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775 Actual Front Feet, 2.43 Total Acres								Total Est. Land Value = 374,425																															

Land Improvement Cost Estimates	Description	Rate	CountyMult.	Size	%Good	Cash Value
	D/W/P: Asphalt Paving	1.51	1.30	64000	78	97,993
Total Estimated Land Improvements True Cash Value =						97,993

Topography of Site	X Level	X High	Work Description for Permit 060448, Issued 12/05/2006: NEW CAR DEALERSHIP
	Rolling		
	Low		
	High		
	Landscaped		
	Swamp		
	Wooded		
	Pond		
	Waterfront		
	Ravine		
	Wetland		
	Flood Plain		



Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
2015	Tentative	Tentative	Tentative			Tentative
2014	187,405	520,504	707,909			689,806C
2013	187,501	512,176	699,677			678,943C
2012	186,412	491,488	677,900			663,031C

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*** Information herein deemed reliable but not guaranteed***

Desc. of Bldg/Section: CAR DEALERSHIP
 Calculator Occupancy: Auto Dealership - Complete

<<<<< Calculator Cost Computations >>>>>

Class: S Quality: Average Percent Adj: +0

Class: S		Construction Cost			
Floor Area: 19,610		High	Above Ave.	X Ave.	Low
Gross Bldg Area: 19,610		** ** Calculator Cost Data ** **			
Stories Above Grd: 1		Quality: Average Adj: %+0 \$/SqFt:0.00			
Average Sty Hght : 14		Heat#1: Package Heating & Cooling 100			
Bsmnt Wall Hght		Heat#2: Package Heating & Cooling 0%			
Depr. Table : 3%		Ave. SqFt/Story: 19610			
Effective Age : 8		Ave. Perimeter: 724			
Physical %Good: 78		Has Elevators:			
Func. %Good : 100		*** Basement Info ***			
Economic %Good: 100		Area:			
2007	Year Built	Perimeter:			
	Remodeled	Type: Finished/Office (No Rates)			
15	Overall Bldg	Heat: No Heating or Cooling			
	Height	* Mezzanine Info *			
Comments:		Area #1:			
		Type #1: Office			
		Area #2:			
		Type #2: Office			
		* Sprinkler Info *			
		Area: 19610			
		Type: Average			

Base Rate for Upper Floors = 56.00

(10) Heating system: Package Heating & Cooling Cost/SqFt: 0.00 100%

Adjusted Square Foot Cost for Upper Floors = 56.00

1 Stories Number of Stories Multiplier: 1.000

Average Height per Story: 14 Height per Story Multiplier: 1.000

Ave. Floor Area: 19,610 Perimeter: 724 Perim. Multiplier: 0.978

Refined Square Foot Cost for Upper Floors: 54.77

County Multiplier: 1.30, Final Square Foot Cost for Upper Floors = 71.198

Total Floor Area: 19,610 Base Cost New of Upper Floors = 1,396,201

19,610 Sq.Ft. of Sprinklers @ 2.15, County Mult.:1.30 Cost New = 54,810

Reproduction/Replacement Cost = 1,451,011

Erf.Age:8 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 78 /100/100/100/78.0

Total Depreciated Cost = 1,131,788

ECF (Ludington) 0.809 => TCV of Bldg: 1 = 915,617

Replacement Cost/Floor Area= 73.99 Est. TCV/Floor Area= 46.69

(1) Excavation/Site Prep:				(7) Interior:				(11) Electric and Lighting:				(39) Miscellaneous:			
(2) Foundation:				(8) Plumbing:				Outlets:				Fixtures:			
X	Poured Conc	Brick/Stone	Block	Many	Average	Few	X	Few	X	Few					
				Above Ave.	Typical	None		Average		Average					
(3) Frame:				Total Fixtures				Flex Conduit				Incandescent			
				3-Piece Baths				Rigid Conduit				Fluorescent			
				2-Piece Baths				Armored Cable				Mercury			
				Shower Stalls				Non-Metalic				Sodium Vapor			
				Toilets				Bus Duct				Transformer			
(4) Floor Structure:				(9) Sprinklers:				(13) Roof Structure: Slope=0				(40) Exterior Wall:			
												Thickness			
(5) Floor Cover:				(10) Heating and Cooling:				(14) Roof Cover:				Bsmnt Insul.			
				X Gas											
				Oil				Coal							
								Stoker							
(6) Ceiling:				Hand Fired											
				Boiler											

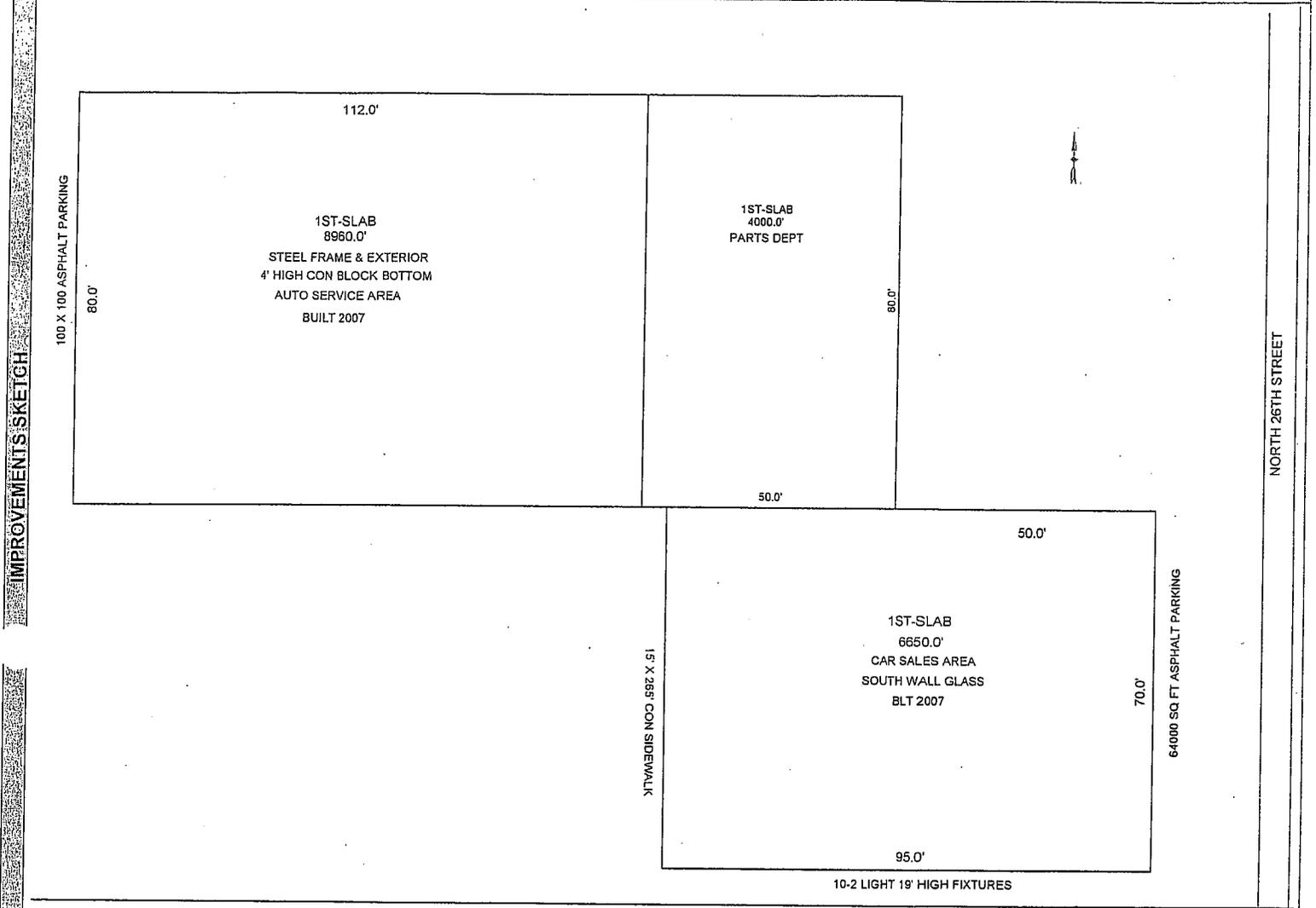
*** Information herein deemed reliable but not guaranteed***

SKETCH/AREA TABLE ADDENDUM

Parcel No 2600LUDS

File No 051-420-2825-400-003

JEC	Property Address	2600 LUDINGTON STREET		
	City	State	Zip	# 16
	Owner			
	Client			
	Appraiser Name	KEVIN DUBORD	Inspection Date	DRAWN 2-2-11



2600 LUDINGTON STREET

Scale: 1" = 32'

AREA CALCULATIONS SUMMARY

Code	Description	Factor	Net Size	Perimeter	Net Totals
GLA1	1ST-SLAB	1.00	4000.0	260.0	19610.0
	1ST-SLAB	1.00	8960.0	384.0	
	1ST-SLAB	1.00	6650.0	330.0	
Net LIVABLE Area		(rounded w/ factors)		19610	

Comment Table 1	
Comment Table 2	Comment Table 3

General Property Information**City of Escanaba**[\[Back to Non-Printer Friendly Version\]](#) [\[Send To Printer\]](#)

Parcel: 051-420-2825-400-041 Unit: City of Escanaba

Property Address [collapse]2800 LUDINGTON STREET
ESCANABA, MI 49829**Owner Information [collapse]**DAGENAIS REAL ESTATE INC
1505 N LINCOLN RD
ESCANABA, MI 49829-1834

Unit: 051

Taxpayer Information [collapse]DAGENAIS ENTERPRISES
1505 N LINCOLN RD
ESCANABA, MI 49829-1834**General Information for Tax Year 2016 [collapse]**

Property Class:	201 - Commercial, 201	Assessed Value:	\$507,380
School District:	21010 - Escanaba Schools	Taxable Value:	\$461,110
State Equalized Value:	21010	Map #	N/A
User Num Idx	\$507,380	Date of Last Name Chg:	02/19/2016
	0	Date Filed:	
		Notes:	N/A
Historical District:	N/A	Census Block Group:	N/A

Principal Residence Exemption	June 1st	Final
2017	0.0000 %	-
2016	0.0000 %	0.0000 %

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2015	\$518,892	\$518,892	\$459,731
2014	\$531,537	\$531,537	\$452,492

Land Information [collapse]

	Frontage	Depth
Lot 1:	N/A	N/A
Lot 2:	N/A	N/A
Lot 3:	N/A	N/A
Total Frontage:	N/A	Average Depth: N/A

Total Acreage: N/A

Zoning Code:

Total Estimated Land Value:	N/A
Land Improvements:	\$14,543
Renaissance Zone:	N/A
Renaissance Zone Expiration Date:	N/A

Mortgage Code:	00102
Lot Dimensions/Comments:	N/A

Legal Information for 051-420-2825-400-041 [collapse]

SEC 25 T39N R23W NW 1/4 SE 1/4 E OF WILLOW CREEK DRAIN & N OF HWY EXC E 650 FT 80 FT W OF LOT 14 BLK 13 CITY CENTER ADD NO. 3 1.99 AC M/L 2800 LUDINGTON STREET AC #156-4

Sales Information

1 sale record(s) found.

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
11/01/1984	\$0.00	WD	MCEWEN GEORGE	DAGENAIS REAL ESTATE INC	WD	351-796

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AC# 156-4

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
MCEWEN GEORGE	DAGENAIS REAL ESTATE INC	0	11/01/1984	WD	WD	351-796		0.0

Property Address	Class: Commercial, 201	Zoning: 291	Building Permit(s)	Date	Number	Status
2800 LUDINGTON STREET	School: DISTRICT 21010			12/27/1999	99142	
Owner's Name/Address	P.R.E. 0%					
DAGENAIS REAL ESTATE INC 1505 NORTH LINCOLN ROAD ESCANABA MI 49829	Map #: 156-4					
	2013 Est TCV 1,043,842 TCV/TFA: 144.04					

Tax Description	Land Value Estimates for Land Table 91.LUDINGTON 201	
	Improved	Vacant
SEC 25 T39N R23W NW 1/4 SE 1/4 E OF WILLOW CREEK DRAIN & N OF HWY EXC E 650 FT 80 FT W OF LOT 14 BLK 13 CITY CENTER ADD NO. 3 1.99 AC M/L 2800 LUDINGTON STREET AC #156-4	X	
Comments/Influences		

Description	* Factors *		450 X 180.82					Value
	Description	Frontage	Depth	Front	Depth	Rate	%Adj.	
LUD-W OF LINC A	450.00	180.82	1.0000	1.0000	1000	100	450 X 180.82	450,000
LUD-W OF LINC A	161.60	90.40	1.0000	1.0000	1000	0	PIE SHAPE EXTRA	0
612 Actual Front Feet, 2.20 Total Acres								Total Est. Land Value = 450,000

Description	Rate		County	Mult.	Size	%Good	Cash Value	
	D/W/P: Asphalt Paving	Commercial/Industrial Local Cost Land Improvements						
D/W/P: Asphalt Paving	1.61	1.23			38600	50	38,220	
Commercial/Industrial Local Cost Land Improvements								
Description	Rate	County	Mult.	Size	%Good	%Arch.	Mult	Cash Value
WATER&SEWER	2500.00		1.00	1.0	98	100		2,450
Total Estimated Land Improvements True Cash Value = 40,670								

Topography of Site			Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
X	Level		2013	225,000	296,921	521,921			445,367C
	Rolling								
	Low								
X	High		2012	225,000	294,346	519,346			434,929C
	Landscaped		2011	146,250	343,243	489,493			423,495C
	Swamp		2010	0	443,381	443,381			416,416C
	Wooded								
	Pond								
	Waterfront								
	Ravine								
	Wetland								
	Flood Plain								

Who When What

KD 08/25/2008 Inspected

KD 02/13/2010 Data Enter

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*** Information herein deemed reliable but not guaranteed***

v 1.0 4792 28074

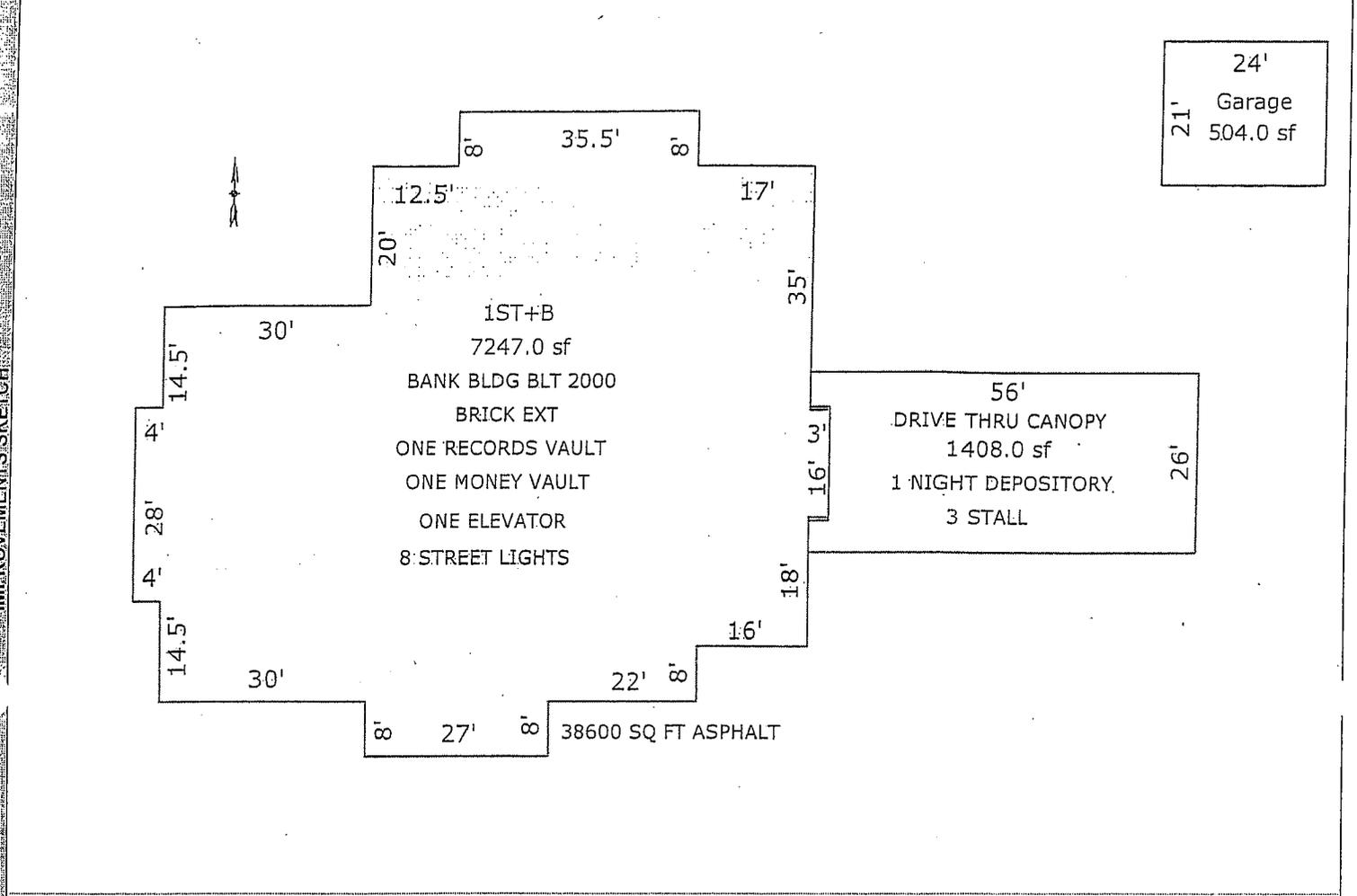
SKETCH/AREA TABLE ADDENDUM

Parcel No 2800LUDS

File No 051-420-2825-400-041

SUBJECT	Property Address 2800 LUDINGTON STREET	
	City	State
	Owner	Zip
	Client	

Appraiser Name KEVIN DUBORD Inspection Date DRAWN 4-7-10



2800 LUDINGTON STREET

Scale: 1 = 25

AREA CALCULATIONS SUMMARY					
Code	Description	Factor	Net Size	Perimeter	Net Totals
GLA1	1ST+B	1.00	7247.0	390.0	7247.0
GAR	Garage	1.00	1408.0	170.0	
	Garage	1.00	504.0	90.0	1912.0
Net LIVABLE Area (rounded w/ factors)					7247

Comment Table 1	
Comment Table 2	Comment Table 3

AREA CALCULATIONS

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

UP ENTERPRISES LLC,
Petitioner,

v

MTT Docket No. 16-003297

City of Escanaba,
Respondent.

PROOF OF SERVICE

County of Wayne
State of Michigan

Karen Cameron, who being duly sworn, deposes and says that on the 25th day of July 2016 she served a true copy of the PETITION to:

Daina Norden, Assessor
City of Escanaba
410 Ludington St
PO Box 948
Escanaba, MI 49829

Equalization Director
Delta County
310 Ludington St
Escanaba, MI 49829

Robert S. Richards, City Clerk
410 Ludington St
PO Box 948
Escanaba, MI 49829

Nancy Kolich, County Clerk
Delta County
310 Ludington St.
Escanaba, MI 49829

Natalie Clouse, Secretary
Escanaba Public Schools
1500 Ludington St
Escanaba, MI 49829

State Treasurer
Michigan Department of Treasury
Lansing, MI 48922

by placing said document in envelopes to the above parties with postage fully prepared, and depositing said envelopes in a receptacle for United States mail.



Karen Cameron
GSA PROPERTY TAX CONSULTANTS
38110 Executive Drive, Suite 100
Westland, MI 48185-3132

801 No. Lincoln Rd.

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

UP ENTERPRISES LLC,
Petitioner,

v

MTT Docket No. 16-003297

City of Escanaba,
Respondent.

PETITION

Petitioner, UP ENTERPRISES LLC, through their representative, GSA Property Tax Consultants, petitions this Tribunal as follows:

1. Petitioner is UP ENTERPRISES LLC, whose principal office or legal address is 1505 N. Lincoln Road, Escanaba, MI 49829.
2. Respondent, City of Escanaba, levies and collects the property taxes on the subject property.
3. The property identification numbers are 051-420-2919-300-028 and 051-420-2919-300-027 and the property is classified as commercial real.
4. The parcels are contiguous.
5. The property is located in the County of Delta and the school districts of Escanaba Public, Delta Intermediate, and the Community College is Bay de Noc.
6. This matter involves issues relating to assessed and taxable values.
7. At this time, Petitioner believes, as it relates to taxable value, that there is a dispute relative of a loss.
8. For tax year 2016, Respondent determined the following values:

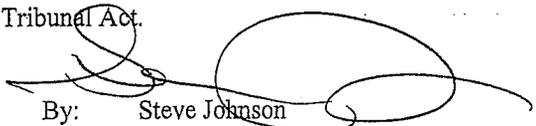
<u>Parcel ID Number</u>	<u>Assessed</u>	<u>State Equalized</u>	<u>Taxable</u>
051-420-2919-300-028	431,791	431,791	431,791
051-420-2919-300-027	621,358	621,358	621,358
Totals	1,053,149	1,053,149	1,053,149

9. Our initial review of the subject property indicates the assessment exceeds 50% of true cash value and is not uniform with others in its class.
10. Petitioner's contention of value is the following:

<u>Parcel ID Number</u>	<u>True Cash</u>	<u>State Equal</u>	<u>Taxable</u>	<u>Contention</u>
051-420-2919-300-028	312,000	156,000	156,000	372,802
051-420-2919-300-027	488,000	244,000	244,000	584,093
Totals	800,000	400,000	400,000	956,895

11. Petitioner requests that the Tribunal reduce the values as indicated above and order a refund with interest as provided by the Tax Tribunal Act.

Dated: May 31, 2016

By:  Steve Johnson
GSA Property Tax Consultants
38110 Executive Drive, Suite 100
Westland, MI 48185-3132
Phone: 734-595-7727



property tax consultants

38110 Executive Drive
Suite 100
Westland, MI 48185-3132

Phone: (734) 595-7727
Fax: (734) 595-7736
www.gsatax.com

May 31, 2016

TransInfo:4606 21307670-1 06/01/16
Check# 5017 Amt: \$625.00
ID: UP ENTERPRISES LLC

Ms. Jennifer Andreau, Chief Clerk
Michigan Tax Tribunal
Po Box 30232
611 W. Ottawa, 4th floor
Lansing, MI 48909

RE: 2016 Property Tax Appeal
UP Enterprises LLC v City of Escanaba
Parcel ID# 051-420-2919-300-028 & 051-420-2919-300-027

Dear Ms. Andreau:

Enclosed please find PETITION for the above-referenced property. Please note that at the time of filing this appeal the City assessor was unable to report the exact 2016 figures due to the recent 2015 Tax Tribunal settlement for this property, Docket # 15-001472. This mail is being sent via certified mail # 7011 0470 0002 8626 0983.

Please process in your usual manner.

Sincerely,

Steve Johnson
GSA Property Tax Consultants

Enclosure

Kim A. T.

*PrmD
5-31-16*

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

UP ENTERPRISES LLC,
Petitioner,
v
City of Escanaba,
Respondent.

MTT Docket No.

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3. The property identification numbers are 051-420-2919-300-028 and 051-420-2919-300-027 and the property is classified as commercial real.
4. The parcels are contiguous.
5. The property is located in the County of Delta and the school districts of Escanaba Public, Delta Intermediate, and the Community College is Bay de Noc.
6. This matter involves issues relating to assessed and taxable values.
7. At this time, Petitioner believes, as it relates to taxable value, that there is a dispute relative of a loss.

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<u>Parcel ID Number</u>	<u>Assessed</u>	<u>State Equalized</u>	<u>Taxable</u>
051-420-2919-300-028	431,791	431,791	431,791
051-420-2919-300-027	621,358	621,358	621,358
Totals	1,053,149	1,053,149	1,053,149

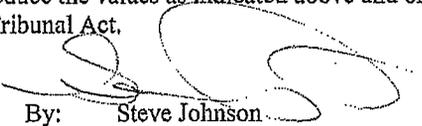
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<u>Parcel ID Number</u>	<u>True Cash</u>	<u>State Equal</u>	<u>Taxable</u>	<u>Contention</u>
051-420-2919-300-028	312,000	156,000	156,000	372,802
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Totals	800,000	400,000	400,000	956,895

11. Petitioner requests that the Tribunal reduce the values as indicated above and order a refund with interest as provided by the Tax Tribunal Act.

Dated: May 31, 2016


By: Steve Johnson
GSA Property Tax Consultants
38110 Executive Drive, Suite 100
Westland, MI 48185-3132
Phone: 734-595-7727

General Property Information**City of Escanaba**[\[Back to Non-Printer Friendly Version\]](#) [\[Send To Printer\]](#)

Parcel: 051-420-2919-300-028 Unit: City of Escanaba

Property Address [collapse]801 NORTH LINCOLN ROAD
ESCANABA, MI 49829**Owner Information** [collapse]UP ENTERPRISES LLC
1505 N LINCOLN RD
ESCANABA, MI 49829-1834

Unit: 051

Taxpayer Information [collapse]DAGENAIS ENTERPRISES
1505 N LINCOLN RD
ESCANABA, MI 49829-1834**General Information for Tax Year 2016** [collapse]

Property Class:	201 - Commercial, 201	Assessed Value:	\$528,802
School District:	21010 - Escanaba Schools	Taxable Value:	\$528,802
State Equalized Value:	\$528,802	Map #	N/A
User Num Idx	0	Date of Last Name Chg:	02/19/2016
		Date Filed:	
		Notes:	N/A
Historical District:	N/A	Census Block Group:	N/A
Principal Residence Exemption	June 1st	Final	
2017	0.0000 %	-	
2016	0.0000 %	0.0000 %	

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2015	\$534,701	\$534,701	\$534,701
2014	\$533,772	\$533,772	\$533,772

Land Information [collapse]

	Frontage	Depth
Lot 1:	N/A	N/A
Lot 2:	N/A	N/A
Lot 3:	N/A	N/A
Total Frontage:	N/A	Average Depth: N/A
Total Acreage:	N/A	
Zoning Code:		
Total Estimated Land Value:	N/A	Mortgage Code: 00102
Land Improvements:	\$12,269	Lot Dimensions/Comments: N/A
Renaissance Zone:	N/A	
Renaissance Zone Expiration Date:	N/A	

Legal Information for 051-420-2919-300-028 [collapse]

SEC 19 T39N R22W [AC# 108-2] [2.19 AC M/L] PRT OF SW1/4 OF SW1/4 FRM SW COR OF SEC 19 MEAS N0D17'40"W ALG W LN OF SD SEC A DIST OF 610.45 FT TO POB OF THE LAND HEREIN DESC TH CONT N0D17'40"W ALG SD W LN A DIST OF 199.55 FT TO THE N LN OF LANDS DESC IN LIBER 213 P 259-60 TH N89D33'E ALG SD N LN A DIST OF 602.94 FT TO W ROW LN OF U.S. HWY 2-41 TH S0D02'E ALG SD ROW LN A DIST OF 100.0 FT TH S89D33'W DIST OF 250.0 TH S0D02'E A DIST OF 99.82 FT TH S89D36'W A DIST OF 351.99 FT TO POB.

Sales Information

1 sale record(s) found.						
Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
 02/22/2005	\$0.00	QCD	KMART CORPORATION	UP ENTERPRISES LLC	ARMS-LENGTH	795/903 & 691/263

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Parcel Number: 051-420-2919-300-028

Jurisdiction: City of Escanaba

County: Delta *A#108-2*

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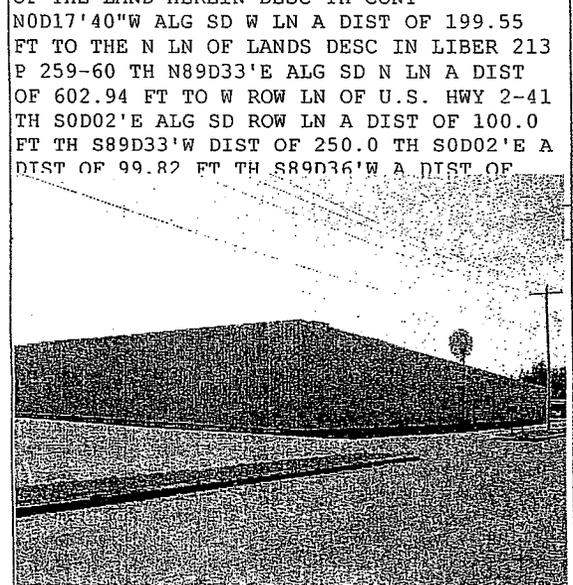
03/30/2015

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
KMART CORPORATION	UP ENTERPRISES LLC	0	02/22/2005	QCD	ARMS-LENGTH	795/903 & 691/	DAINA NORDEN	0.0

Property Address	Class: Commercial, 201	Zoning:	Building Permit(s)	Date	Number	Status
801 NORTH LINCOLN ROAD	School: Escanaba Schools 21010					
	P.R.E. 0%					
Owner's Name/Address	Map #: 108-2					
UP ENTERPRISES LLC 1505 NORTH LINCOLN ROAD ESCANABA MI 49829	2015 Est TCV 1,069,402 TCV/TFA: 16.21					

Tax Description	X Improved	Vacant	Land Value Estimates for Land Table 2/301.COMERCIAL & INDUSTRIAL								
			Description	Frontage	Depth	Front	Depth	Rate %Adj. Reason	Value		
SEC 19 T39N R22W [AC# 108-2] [2.19 AC M/L]	X		Dirt Road								
PRT OF SW1/4 OF SW1/4	X		Gravel Road								
FRM SW COR OF SEC 19 MEAS N0D17'40"W ALG W LN OF SD SEC A DIST OF 610.45 FT TO POB OF THE LAND HEREIN DESC TH CONT	X		Paved Road								
N0D17'40"W ALG SD W LN A DIST OF 199.55 FT TO THE N LN OF LANDS DESC IN LIBER 213 P 259-60 TH N89D33'E ALG SD N LN A DIST OF 602.94 FT TO W ROW LN OF U.S. HWY 2-41 TH S0D02'E ALG SD ROW LN A DIST OF 100.0 FT TH S89D33'W DIST OF 250.0 TH S0D02'E A DIST OF 99.82 FT TH S89D36'W A DIST OF	X		Storm Sewer								
	X		Sidewalk								
	X		Water								
	X		Sewer								
	X		Electric								
	X		Gas								
	X		Curb								
			Street Lights								
			Standard Utilities								
			Underground Utils.								

Land Improvement Cost Estimates											
Description	Rate	CountyMult.	Size	%Good	Cash Value						
D/W/P: Asphalt Paving	1.51	1.30	25000	50	24,538						
Total Estimated Land Improvements True Cash Value =					24,538						



Topography of Site											
X	Level										
X	Rolling										
	Low										
X	High										
	Landscaped										
	Swamp										
	Wooded										
	Pond										
	Waterfront										
	Ravine										
	Wetland										
	Flood Plain										

Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
2015	304,768	229,933	534,701			534,701S
2014	238,100	295,672	533,772			533,772S
2013	238,100	289,736	527,836			527,836S
2012	709,714	0	709,714		590,000T	590,000C

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Who	When	What
KD	09/12/2011	Inspected
KD	08/11/2008	Inspected
KD	02/15/2010	Data Enter

*** Information herein deemed reliable but not guaranteed***

Desc. of Bldg/Section: K-MART NORTH END 40%
 Calculator Occupancy: Store, Warehouse Showroom

Class: S

Floor Area: 65,971
 Gross Bldg Area: 65,971
 Stories Above Grd: 1
 Average Sty Hght : 17
 Bsmnt Wall Hght

Depr. Table : 3%
 Effective Age : 28
 Physical %Good: 43
 Func. %Good : 40
 Economic %Good: 100

1976	Year Built
1988	Remodeled
17	Overall Bldg Height

Comments:

Construction Cost

High	Above Ave.	X	Ave.	Low
------	------------	---	------	-----

** ** Calculator Cost Data ** **

Quality: Good Adj: %+0 \$/SqFt: 0.00

Heat#1: Forced Air Furnace 100
 Heat#2: Forced Air Furnace 0%

Ave. SqFt/Story: 65971
 Ave. Perimeter: 727
 Has Elevators:

*** Basement Info ***

Area:
 Perimeter:
 Type: Finished/Office (No Rates)
 Heat: No Heating or Cooling

* Mezzanine Info *

Area #1:
 Type #1: Office (No Rates)
 Area #2:
 Type #2: Office (No Rates)

* Sprinkler Info *

Area:
 Type: Good

<<<<< Calculator Cost Computations >>>>>

Class: S Quality: Good Percent Adj: +0

Base Rate for Upper Floors = 48.45

(10) Heating system: Forced Air Furnace Cost/SqFt: -3.30 100%
 Adjusted Square Foot Cost for Upper Floors = 45.15

1 Stories Number of Stories Multiplier: 1.000
 Average Height per Story: 17 Height per Story Multiplier: 1.020
 Ave. Floor Area: 65,971 Perimeter: 727 Perim. Multiplier: 0.785
 Refined Square Foot Cost for Upper Floors: 36.15

County Multiplier: 1.30, Final Square Foot Cost for Upper Floors = 46.997

Total Floor Area: 65,971 Base Cost New of Upper Floors = 3,100,445

Reproduction/Replacement Cost = 3,100,445
 Eff. Age: 28 Phy. %Good/Abnr. Phy./Func./Econ./Overall %Good: 43 /100/40 /100/17.2
 Total Depreciated Cost = 533,277

Unit in Place Items	Rate	Quantity	Cnty Arch	%Good	Depr. Cost
/CI16/YARI/OUTL/2AVG/FLO1	900.00	24	1.30 1.00	17	4,830

ECF (Lincoln) 0.809 => TCV of Bldg: 1 = 435,328
 Replacement Cost/Floor Area= 47.42 Est. TCV/Floor Area= 6.60

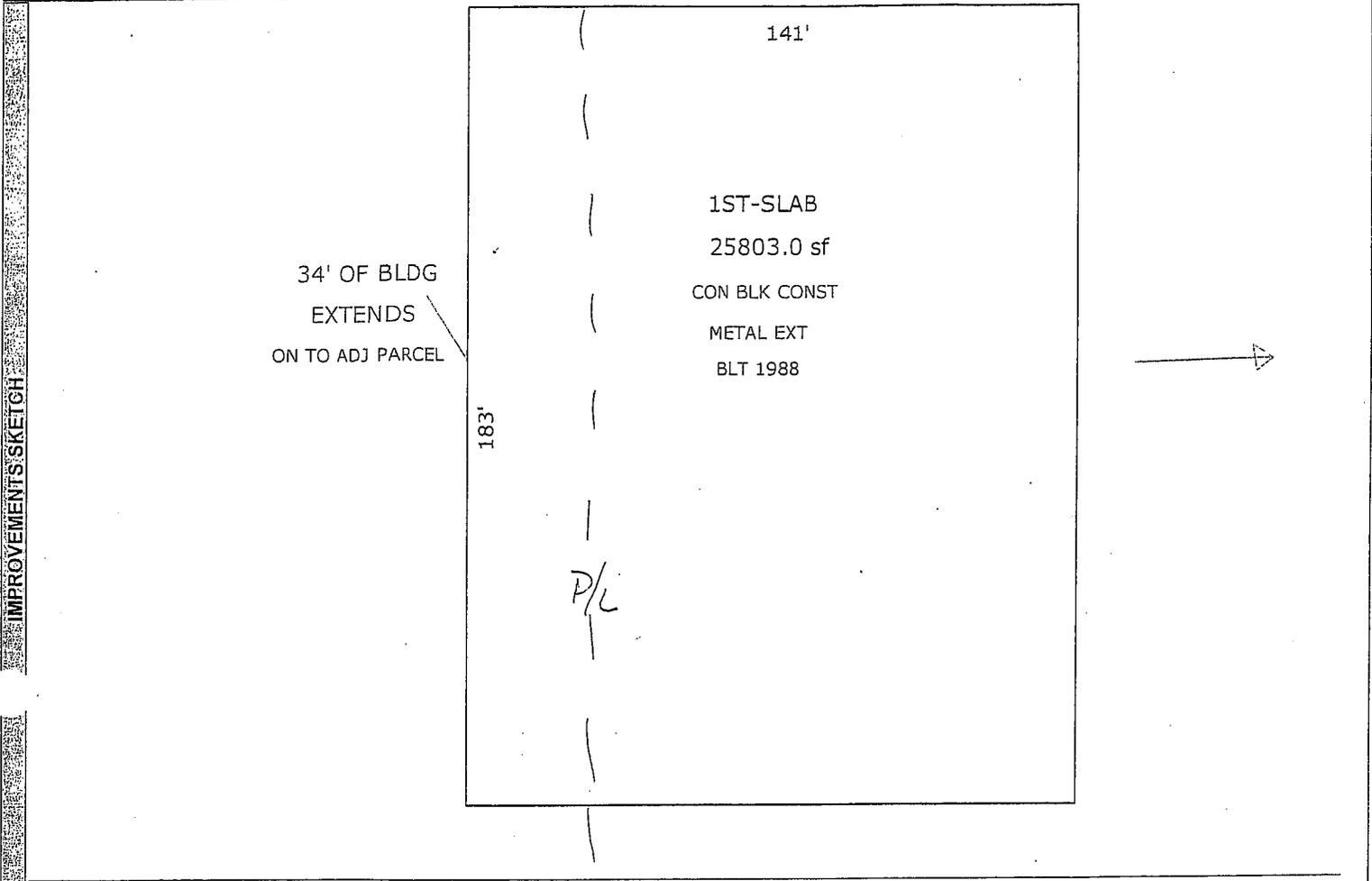
(1) Excavation/Site Prep:	(7) Interior:	(11) Electric and Lighting:	(39) Miscellaneous:
(2) Foundation:	(8) Plumbing:	Outlets:	Fixtures:
X Poured Conc	Many Above Ave.	X Few Average	X Few Average
Brick/Stone	Average Typical	Many Unfinished	Many Unfinished
Block	Few None	Typical	Typical
(3) Frame:	Total Fixtures	Flex Conduit	Incandescent
	3-Piece Baths	Rigid Conduit	Fluorescent
	2-Piece Baths	Armored Cable	Mercury
	Shower Stalls	Non-Metalic	Sodium Vapor
	Toilets	Bus Duct	Transformer
(4) Floor Structure:	Urinals	(13) Roof Structure: Slope=0	(40) Exterior Wall:
	Wash Bowls		Thickness
	Water Heaters		Bsmnt Insul.
	Wash Fountains	(14) Roof Cover:	
	Water Softeners		
(5) Floor Cover:	(9) Sprinklers:		
	(10) Heating and Cooling:		
(6) Ceiling:	X Gas		
	Oil		
	Coal Stoker		
	Hand Fired Boiler		

*** Information herein deemed reliable but not guaranteed***

SKETCH/AREA TABLE ADDENDUM

Parcel No 051-420-2919-300-028

JEGT	Property Address 803 NORTH LINCOLN ROAD			
	City ESCANABA	County Delta	State MI	Zip 49829
	Owner UP ENTERPRISES LLC			
	Client		Client Address 803NLRD	
	Appraiser Name KEVIN DUBORD		Inspection Date DRAWN 9-13-11	



803 NORTH LINCOLN ROAD

Scale: 1" = 40'

AREA CALCULATIONS	AREA CALCULATIONS SUMMARY						Comment Table 1			
	Code	Description	Factor	Net Size	Perimeter	Net Totals				
	GLA1	1ST-SLAB	1.00	25803.00	648.0	25803.00				
							Comment Table 2		Comment Table 3	
	Net LIVABLE Area (rounded w/ factors)						25803			

General Property Information

City of Escanaba

[Back to Non-Printer Friendly Version] [Send To Printer]

Parcel: 051-420-2919-300-027 Unit: City of Escanaba

Property Address [collapse]

801 NORTH LINCOLN ROAD
ESCANABA, MI 49829

Owner Information [collapse]

UP ENTERPRISES LLC
1505 N LINCOLN RD
ESCANABA, MI 49829-1834

Unit: 051

Taxpayer Information [collapse]

DAGENAIS ENTERPRISES
1505 N LINCOLN RD
ESCANABA, MI 49829-1834

General Information for Tax Year 2016 [collapse]

Property Class: 201 - Commercial, 201 **Assessed Value:** \$828,093
School District: 21010 - Escanaba Schools **Taxable Value:** \$828,093
State Equalized Value: \$828,093 **Map #** N/A
User Num Idx 0 **Date of Last Name Chg:** 02/19/2016

Date Filed:
Notes: N/A
Census Block Group: N/A

Historical District: N/A

Principal Residence Exemption	June 1st	Final
2017	0.0000 %	-
2016	0.0000 %	0.0000 %

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2015	\$831,256	\$831,256	\$831,256
2014	\$837,906	\$837,906	\$837,906

Land Information [collapse]

	Frontage	Depth
Lot 1:	N/A	N/A
Lot 2:	N/A	N/A
Lot 3:	N/A	N/A
Total Frontage:	N/A	Average Depth: N/A

Total Acreage: N/A
Zoning Code:

Total Estimated Land Value: N/A **Mortgage Code:** 00102
Land Improvements: \$75,135 **Lot Dimensions/Comments:** N/A
Renaissance Zone: N/A
Renaissance Zone Expiration Date: N/A

Legal Information for 051-420-2919-300-027 [collapse]

SEC 19 T39N R22W [AC# 108-1] [4.68 AC] PRT SW1/4 OF SW1/4 COM @ SW COR SEC 19 TH N0°17'40"W 282.88 FT TO POB TH N0°17'40"W 327.57 FT TH N89°36'E 601.99 FT TH S0°03'E ALG W ROW LN US 2&41 341.90 FT TH S89°33'57"W 393.48 FT TH ON A 1,461.25 RAD CURVE TO RT CH BEARING N86°23'24"W 207.53 FT TO POB.

Sales Information

2 sale record(s) found.						
Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
<input type="checkbox"/> 02/06/2003	\$1,000,000.00	WD	SEVEN HILLS REALTY ASSOCIATES	U P ENTERPRISES LLC	WD	691/263 & 795/903
03/25/1988	Confidential	WD		KMART CORPORATION	ARMS-LENGTH	

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[Privacy Policy](#)

Parcel Number: U51-420-2919-300-027

Jurisdiction: City of Escanaba

County: Delta

A# 108-1

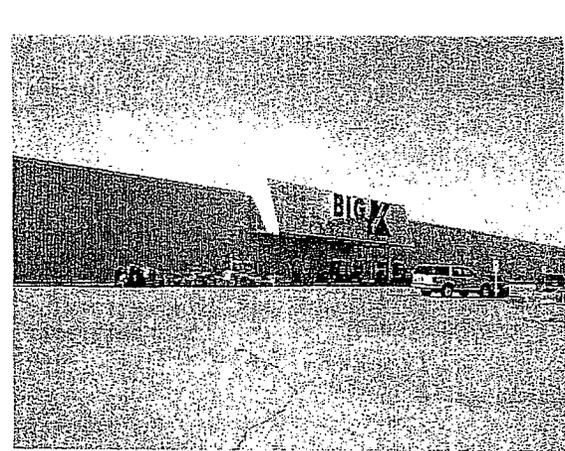
Printed on

04/14/2014

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prct. Trans.
SEVEN HILLS REALTY ASSOCI	U P ENTERPRISES LLC	1,000,000	02/06/2003	WD	WD	691/263 & 795/		0.0

Property Address	Class: Commercial, 201	Zoning:	Building Permit(s)	Date	Number	Status
801 NORTH LINCOLN ROAD	School: Escanaba Schools 21010			06/27/2008	080158	
Owner's Name/Address	P.R.E. 0%			12/14/1999	7328	
UP ENTERPRISES LLC 1505 NORTH LINCOLN ROAD ESCANABA MI 49829	Map #: 108-1					
	2015 Est TCV Tentative					

Tax Description	X Improved	Vacant	Land Value Estimates for Land Table 2/301.COMERCIAL & INDUSTRIAL								
SEC 19 T39N R22W [AC# 108-1] [4.68 AC] PRT SW1/4 OF SW1/4 COM @ SW COR SEC 19 TH NO°17'40"W 282.88 FT TO POB TH NO°17'40"W 327.57 FT TH N89°36'E 601.99 FT TH S0°03'E ALG W ROW LN US 2&41 341.90 FT TH S89°33'57"W 393.48 FT TH ON A 1,461.25 RAD CURVE TO RT CH BEARING N86°23'24"W 207.53 FT TO POB.	X		* Factors *								
			Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
			Sq. Ft.	LINCOLN RD 2	204326	SqFt	6.25	000	50	OVER 100,000	638,519
			4.69 Total Acres		Total Est. Land Value =						638,519
			Land Improvement Cost Estimates								
			Description	Rate	CountyMult.	Size	%Good			Cash Value	
			D/W/P: Asphalt Paving	1.51	1.30	134512	50			132,024	
			Fencing: Wire Mesh, #9	1.87	1.30	1720	50			2,091	
			Total Estimated Land Improvements		True Cash Value =				134,115		
			Work Description for Permit 080158, Issued 06/27/2008: REFURB BATHS ADD BF BATH								
			Work Description for Permit 7328, Issued 12/14/1999: REPAIR/REMODEL STORE INT								



Topography of Site	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
X Level	2015	Tentative	Tentative	Tentative			Tentative
X Rolling							
Low							
X High	2014	319,260	518,646	837,906			837,906S
Landscaped	2013	319,260	512,166	831,426			831,426S
Swamp	2012	1,001,878	0	1,001,878		900,000T	900,000C
Wooded							
Pond							
Waterfront							
Ravine							
Wetland							
Flood Plain							
Who	When	What					
KD	09/12/2011	Inspected					
KD	05/08/2009	Inspected					
KD	02/13/2010	Data Enter					

The Equalizer. Copyright (c) 1999 - 2009.
Licensed To: City of Escanaba, County of Delta, Michigan

*** Information herein deemed reliable but not guaranteed***

Desc. of Bldg/Section: GARDEN CENTER SALES Calculator Occupancy: Greenhouse, Commercial	
Class: S Floor Area: 2,769 Stories Above Grd: 1 Average Sty Hght : 10 Bsmnt Wall Hght	Construction Cost High Above Ave. X Ave. Low
Depr. Table : 4% Effective Age : 20 Physical %Good: 44 Func. %Good : 100 Economic %Good: 100	** ** Calculator Cost Data ** ** Quality: Fair Adj: %+0 \$/SqFt:0.00 Heat#1: No Heating or Cooling 100 Heat#2: No Heating or Cooling 0% Ave. SqFt/Story: 2769 Ave. Perimeter: 405 Has Elevators:
Year Built Remodeled	*** Basement Info *** Area: Perimeter:
Overall Bldg Height	Type: Finished/Office (No Rates) Heat: No Heating or Cooling
Comments:	* Mezzanine Info * Area #1: Type #1: Office (No Rates) Area #2: Type #2: Office (No Rates) * Sprinkler Info * Area: Type: Low

<<<<<	Calculator Cost Computations	>>>>>
Class: S	Quality: Fair	Percent Adj: +0
Base Rate for Upper Floors = 32.30		
(10) Heating system: No Heating or Cooling Cost/SqFt: 0.00 100%		
Adjusted Square Foot Cost for Upper Floors = 32.30		
1 Stories	Number of Stories Multiplier: 1.000	
Average Height per Story: 10	Height per Story Multiplier: 1.000	
Ave. Floor Area: 2,769	Perimeter: 405	Perim. Multiplier: 1.411
Refined Square Foot Cost for Upper Floors: 45.58		
County Multiplier: 1.30, Final Square Foot Cost for Upper Floors = 59.248		
Total Floor Area: 2,769	Base Cost New of Upper Floors = 164,057	
Reproduction/Replacement Cost = 164,057		
Eff. Age: 20	Phy. %Good/Abnr. Phy./Func./Econ./Overall %Good: 44 /100/100/100/44.0	
Total Depreciated Cost = 72,185		
ECF (Lincoln)	0.870 => TCV of Bldg: 2 = 62,801	
Replacement Cost/Floor Area= 59.25 Est. TCV/Floor Area= 22.68		

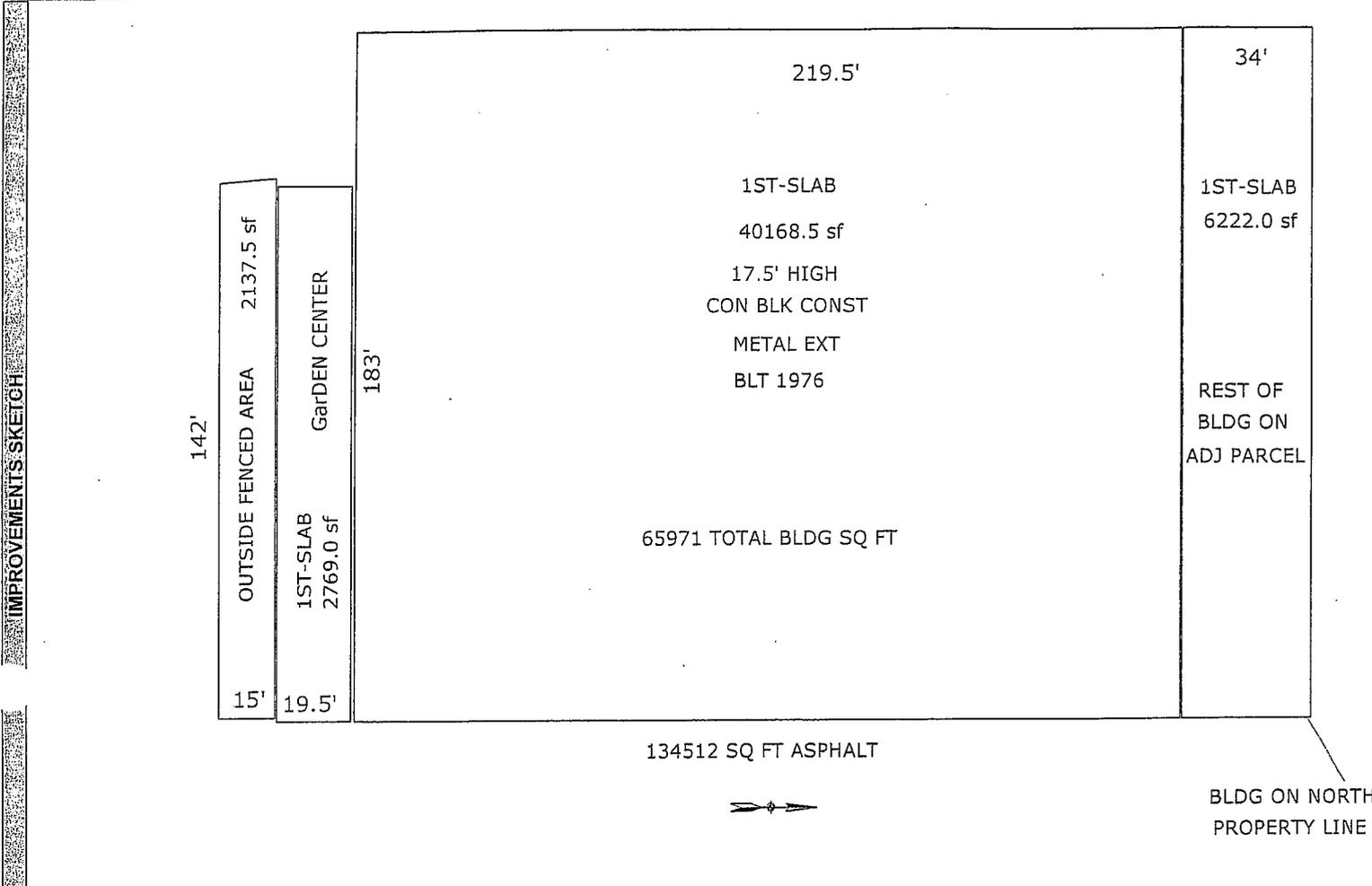
(1) Excavation/Site Prep:	(7) Interior:	(11) Electric and Lighting:	(39) Miscellaneous:
(2) Foundation:	(8) Plumbing:	Outlets:	(40) Exterior Wall:
X Poured Conc	Many Above Ave.	X Few Average Many Unfinished Typical	
(3) Frame:	Average Typical	X Few Average Many Unfinished Typical	
(4) Floor Structure:	Few None	Flex Conduit Rigid Conduit Armored Cable Non-Metalic Bus Duct	
(5) Floor Cover:	Total Fixtures 3-Piece Baths 2-Piece Baths Shower Stalls Toilets	Incandescent Fluorescent Mercury Sodium Vapor Transformer	
(6) Ceiling:	Urinals Wash Bowls Water Heaters Wash Fountains Water Softeners	(13) Roof Structure: Slope=0	
	(9) Sprinklers:	(14) Roof Cover:	
	(10) Heating and Cooling:		
	X Gas Oil Coal Stoker Hand Fired Boiler		

*** Information herein deemed reliable but not guaranteed***

SKETCH/AREA TABLE ADDENDUM

Parcel No 051-420-2919-300-027

PROPERTY INFORMATION	Property Address 801 NORTH LINCOLN ROAD			
	City ESCANABA	County Delta	State MI	Zip 49829
	Owner UP ENTERPRISES LLC			
	Client		Client Address 801NLRD	
APPRAISAL INFORMATION	Appraiser Name KEVIN DUBORD		Inspection Date DRAWN 9-13-11	



801 NORTH LINCOLN ROAD

Scale: 1" = 32'

AREA CALCULATIONS SUMMARY						Comment Table 1	
Code	Description	Factor	Net Size	Perimeter	Net Totals		
GLA1	1ST-SLAB	1.00	40168.50	805.0	46390.50		
	1ST-SLAB	1.00	6222.00	434.0			
OTH	Perimeter	1.00	2769.00	323.0	4906.50		
	Perimeter	1.00	2137.50	315.0			
Net LIVABLE Area (rounded w/ factors)					46391	Comment Table 2	Comment Table 3

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

UP ENTERPRISES LLC,
Petitioner,

v

MTT Docket No. 16-003332

City of Escanaba,
Respondent.

PROOF OF SERVICE

County of Wayne
State of Michigan

Karen Cameron, who being duly sworn, deposes and says that on the 25th day of July 2016 she served a true copy of the PETITION to:

Daina Norden, Assessor
City of Escanaba
410 Ludington St
PO Box 948
Escanaba, MI 49829

Equalization Director
Delta County
310 Ludington St
Escanaba, MI 49829

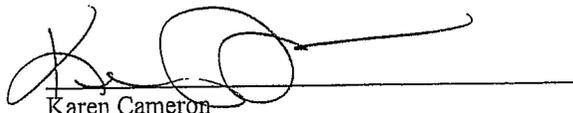
Robert S. Richards, City Clerk
410 Ludington St
PO Box 948
Escanaba, MI 49829

Nancy Kolich, County Clerk
Delta County
310 Ludington St.
Escanaba, MI 49829

Natalie Clouse, Secretary
Escanaba Public Schools
1500 Ludington St
Escanaba, MI 49829

State Treasurer
Michigan Department of Treasury
Lansing, MI 48922

by placing said document in envelopes to the above parties with postage fully prepared, and depositing said envelopes in a receptacle for United States mail.



Karen Cameron
GSA PROPERTY TAX CONSULTANTS
38110 Executive Drive, Suite 100
Westland, MI 48185-3132

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

UP Enterprises LLC,
Petitioner,

v

MTT Docket No. 16-003332

City of Escanaba,
Respondent.

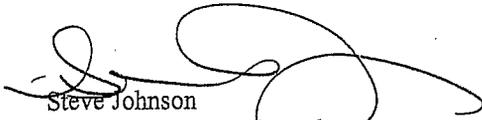
PETITION

Petitioner, UP Enterprises LLC, through their representative, GSA Property Tax Consultants, petitions this Tribunal as follows:

1. Petitioner is UP Enterprises LLC, whose principal office or legal address is 1505 N. Lincoln Road, Escanaba, MI 49829.
2. Respondent, City of Escanaba, levies and collects the property taxes on the subject property.
3. The property identification number is 051-120-2930-155-002 and the property is classified as commercial real.
4. The property is located in the County of Delta and the school districts of Escanaba Public, Delta Intermediate, and the Community College is Bay De Noc.
5. This matter involves issues relating to assessed and taxable values.
6. At this time, Petitioner believes, as it relates to taxable value, that there is a dispute relative of a loss.
7. For tax year 2016, Respondent determined an assessed value of \$581,822, a state equalized value of \$581,822 and a taxable value of \$581,822.
8. Our initial review of the subject property indicates the assessment exceeds 50% of true cash value and is not uniform with others in its class.
9. Petitioner contends the true cash value of the subject property is \$750,000 which would yield an assessed value of \$375,000, a state equalized value of \$375,000 and a taxable value of \$375,000. The amount in contention is \$206,822.
10. Petitioner requests that the Tribunal reduce the assessed, state equalized and taxable value from \$581,822 to \$375,000 and order a refund with interest as provided by the Tax Tribunal Act.

Dated: May 31, 2016

By:


Steve Johnson
GSA Property Tax Consultants
38110 Executive Drive, Suite 100
Westland, MI 48185-3132
Phone: 734-595-7727



property tax consultants

38110 Executive Drive
Suite 100
Westland, MI 48185-3132

Phone: (734) 595-7727
Fax: (734) 595-7736
www.gsatax.com

May 31, 2016

Ms. Jennifer Andreau, Chief Clerk
Michigan Tax Tribunal
Po Box 30232
611 W. Ottawa, 4th floor
Lansing, MI 48909

TransInfo#4606 21387706-1 06/01/16
CHK#: 5066 Amt: 1400.00
TO: U P ENTERPRISES LLC

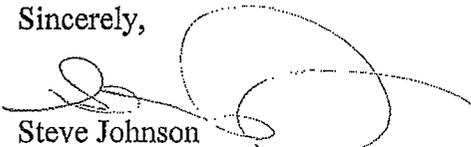
RE: 2016 Property Tax Appeal
UP Enterprises LLC v City of Escanaba
Parcel ID#: 051-120-2930-155-002

Dear Ms. Andreau:

Enclosed please find PETITION for the above-referenced property. This mail is being sent via certified mail # 7011 0470 0002 8626 0983.

Please process in your usual manner.

Sincerely,


Steve Johnson
GSA Property Tax Consultants

Enclosure

OLD Elm's

*PMD
5-31-16*

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

UP Enterprises LLC,
Petitioner,

v

MTT Docket No.

City of Escanaba,
Respondent.

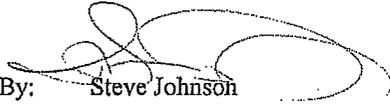
PETITION

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1. Petitioner is UP Enterprises LLC, whose principal office or legal address is 1505 N. Lincoln Road, Escanaba, MI 49829.
2. Respondent, City of Escanaba, levies and collects the property taxes on the subject property.
3. The property identification number is 051-120-2930-155-002 and the property is classified as commercial real.
4. The property is located in the County of Delta and the school districts of Escanaba Public, Delta Intermediate, and the Community College is Bay De Noc.
5. This matter involves issues relating to assessed and taxable values.
6. At this time, Petitioner believes, as it relates to taxable value, that there is a dispute relative of a loss.
7. For tax year 2016, Respondent determined an assessed value of \$581,822, a state equalized value of \$581,822 and a taxable value of \$581,822.
8. Our initial review of the subject property indicates the assessment exceeds 50% of true cash value and is not uniform with others in its class.
9. Petitioner contends the true cash value of the subject property is \$750,000 which would yield an assessed value of \$375,000, a state equalized value of \$375,000 and a taxable value of \$375,000. The amount in contention is \$206,822.
10. Petitioner requests that the Tribunal reduce the assessed, state equalized and taxable value from \$581,822 to \$375,000 and order a refund with interest as provided by the Tax Tribunal Act.

Dated: May 31, 2016

By:


Steve Johnson

GSA Property Tax Consultants
38110 Executive Drive, Suite 100
Westland, MI 48185-3132
Phone: 734-595-7727

General Property Information**City of Escanaba**[\[Back to Non-Printer Friendly Version\]](#) [\[Send To Printer\]](#)

Parcel: 051-120-2930-155-002 Unit: City of Escanaba

Property Address [collapse]318 NORTH LINCOLN ROAD
ESCANABA, MI 49829**Owner Information [collapse]**UP ENTERPRISES LLC
1505 N LINCOLN RD
ESCANABA, MI 49829-1834

Unit: 051

Taxpayer Information [collapse]DAGENAIS ENTERPRISES
1505 N LINCOLN RD
ESCANABA, MI 49829-1834**General Information for Tax Year 2016 [collapse]**

Property Class:	201 - Commercial, 201	Assessed Value:	\$581,822
School District:	21010 - Escanaba Schools	Taxable Value:	\$581,822
State Equalized Value:	21010	Map #	N/A
User Num Idx	\$581,822	Date of Last Name Chg:	02/19/2016
	0	Date Filed:	
		Notes:	N/A
Historical District:	N/A	Census Block Group:	N/A

Principal Residence Exemption	June 1st	Final
2017	0.0000 %	-
2016	0.0000 %	0.0000 %

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2015	\$583,941	\$583,941	\$583,941
2014	\$587,967	\$587,967	\$587,967

Land Information [collapse]

	Frontage	Depth
Lot 1:	N/A	N/A
Lot 2:	N/A	N/A
Lot 3:	N/A	N/A
Total Frontage:	N/A	Average Depth: N/A

Total Acreage: N/A
Zoning Code:

Total Estimated Land Value:	N/A	Mortgage Code:	00102
Land Improvements:	\$16,110	Lot Dimensions/Comments:	N/A
Renaissance Zone:	N/A		
Renaissance Zone Expiration Date:	N/A		

Legal Information for 051-120-2930-155-002 [collapse]

LOTS 14 THRU 19 OF BLK 5 OF THE CITY CENTER ADDITION NO. 2

Sales Information**1 sale record(s) found.**

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
12/24/1992	\$300,000.00	WD	MEL & ELMERS INC	UP ENTERPRISES LLC	ARMS-LENGTH	393/890

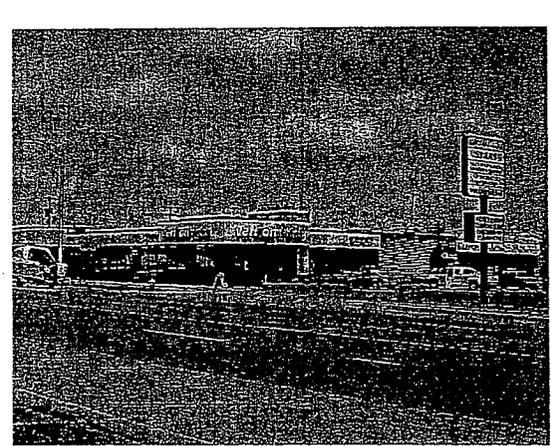
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Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
EL & ELMERS INC	UP ENTERPRISES LLC	300,000	12/24/1992	WD	ARMS-LENGTH	393/890		0.0

Property Address	Class: Commercial, 201	Zoning: 292	Building Permit(s)	Date	Number	Status
18 NORTH LINCOLN ROAD	School: DISTRICT 21010			08/28/2009	090193	
Owner's Name/Address	P.R.E. 0%					
UP ENTERPRISES LLC 105 NORTH LINCOLN ROAD ESCANABA MI 49829	Map #:					
	2013 Est TCV 1,172,698 TCV/TFA: 61.48					

Item Description	X Improved		Vacant	Land Value Estimates for Land Table 2/301.COMERCIAL & INDUSTRIAL						
	Public Improvements			* Factors *						
	Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value	
	SQUARE FOOT LINCOLN ROAD 1	45640	SqFt	7.90000	100				360,556	
	1.05 Total Acres		Total Est. Land Value =		360,556					
	Land Improvement Cost Estimates									
	Description	Rate	CountyMult.	Size	%Good	Cash Value				
X	D/W/P: 4in Concrete	3.61	1.23	300	80	1,066				
X	D/W/P: Asphalt Paving	1.61	1.23	26000	50	25,744				
X	Commercial/Industrial Local Cost Land Improvements									
	Description	Rate	CountyMult.	Size	%Good	%Arch.	Mult	Cash Value		
X	WATER&SEWER	2500.00	1.00	1.0	98	100		2,450		
X	Street Lights									
X	Standard Utilities									
X	Underground Utils.									
	Total Estimated Land Improvements True Cash Value =							29,260		



Topography of Site			Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
X	Level		2013	180,278	406,071	586,349			586,349S
	Rolling								
	Low								
X	High								
	Landscaped								
	Swamp								
	Wooded								
	Pond								
	Waterfront								
	Ravine								
	Wetland								
	Flood Plain								
Who	When	What	2012	606,465	0	606,465			589,747C
DRN	02/04/2013	Data Enter	2011	625,222	0	625,222			574,243C
KD	02/15/2010	Data Enter	2010	0	566,324	566,324			564,645C
KD	04/18/2008	Inspected							

he Equalizer. Copyright (c) 1999 - 2009.
 icensed To: City of Escanaba, County of
 elta, Michigan

** Information herein deemed reliable but not guaranteed**

Desc. of Bldg/Section:
 Calculator Occupancy: Shopping Center, Neighborhood

Class: C

Floor Area: 19,074
 Stories Above Grd: 1
 Average Sty Hght : 13
 Bsmnt Wall Hght

Depr. Table : 2.5%
 Effective Age : 14
 Physical %Good: 70
 Func. %Good : 100
 Economic %Good: 100

1956 Year Built
 2011 Remodeled

13 Overall Bldg Height

Comments:

Construction Cost

High	Above Ave.	X	Ave.	Low
------	------------	---	------	-----

** ** Calculator Cost Data ** **

Quality: Average Adj: %+0 \$/SqFt:0.00
 Heat#1: Package Heating & Cooling 100
 Heat#2: Package Heating & Cooling 0%
 Ave. SqFt/Story: 19074
 Ave. Perimeter: 589
 Has Elevators:

*** Basement Info ***

Area:
 Perimeter:
 Type: Finished/Office
 Heat: Forced Air Furnace

* Mezzanine Info *

Area #1:
 Type #1: Office (No Rates)
 Area #2:
 Type #2: Office (No Rates)

* Sprinkler Info *

Area:
 Type: Average

<<<<< Calculator Cost Computations >>>>>

Class: C Quality: Average Percent Adj: +0

Base Rate for Upper Floors = 60.70

(10) Heating system: Package Heating & Cooling Cost/SqFt: 0.00 100%
 Adjusted Square Foot Cost for Upper Floors = 60.70

1 Stories Number of Stories Multiplier: 1.000
 Average Height per Story: 13 Height per Story Multiplier: 1.020
 Ave. Floor Area: 19,074 Perimeter: 589 Perim. Multiplier: 0.885
 Refined Square Foot Cost for Upper Floors: 54.79

County Multiplier: 1.23, Final Square Foot Cost for Upper Floors = 67.396

Total Floor Area: 19,074 Base Cost New of Upper Floors = 1,285,521

Reproduction/Replacement Cost = 1,285,521
 Eff. Age: 14 Phy. %Good/Abnr. Phy. /Func. /Econ. /Overall %Good: 70./100/100/100/70.0
 Total Depreciated Cost = 899,864

ECF (LINCOLN 201) 0.870 => TCV of Bldg: 1 = 782,882
 Replacement Cost/Floor Area= 67.40 Est. TCV/Floor Area= 41.04

(1) Excavation/Site Prep:	(7) Interior:	(11) Electric and Lighting:	(39) Miscellaneous:
(2) Foundation:	(8) Plumbing:	Outlets:	(40) Exterior Wall:
X Poured Conc	Many Above Ave.	X Few Average Many Unfinished Typical	
(3) Frame:	Total Fixtures 3-Piece Baths 2-Piece Baths Shower Stalls Toilets	Fixtures: X Few Average Many Unfinished Typical	Thickness
(4) Floor Structure:	Urinals Wash Bowls Water Heaters Wash Fountains Water Softeners	Flex Conduit Rigid Conduit Armored Cable Non-Metalic Bus Duct	Bsmnt Insul.
(5) Floor Cover:	(9) Sprinklers:	(13) Roof Structure: Slope=0	
(6) Ceiling:	(10) Heating and Cooling:	(14) Roof Cover:	
	X Gas Oil Coal Stoker Hand Fired Boiler		

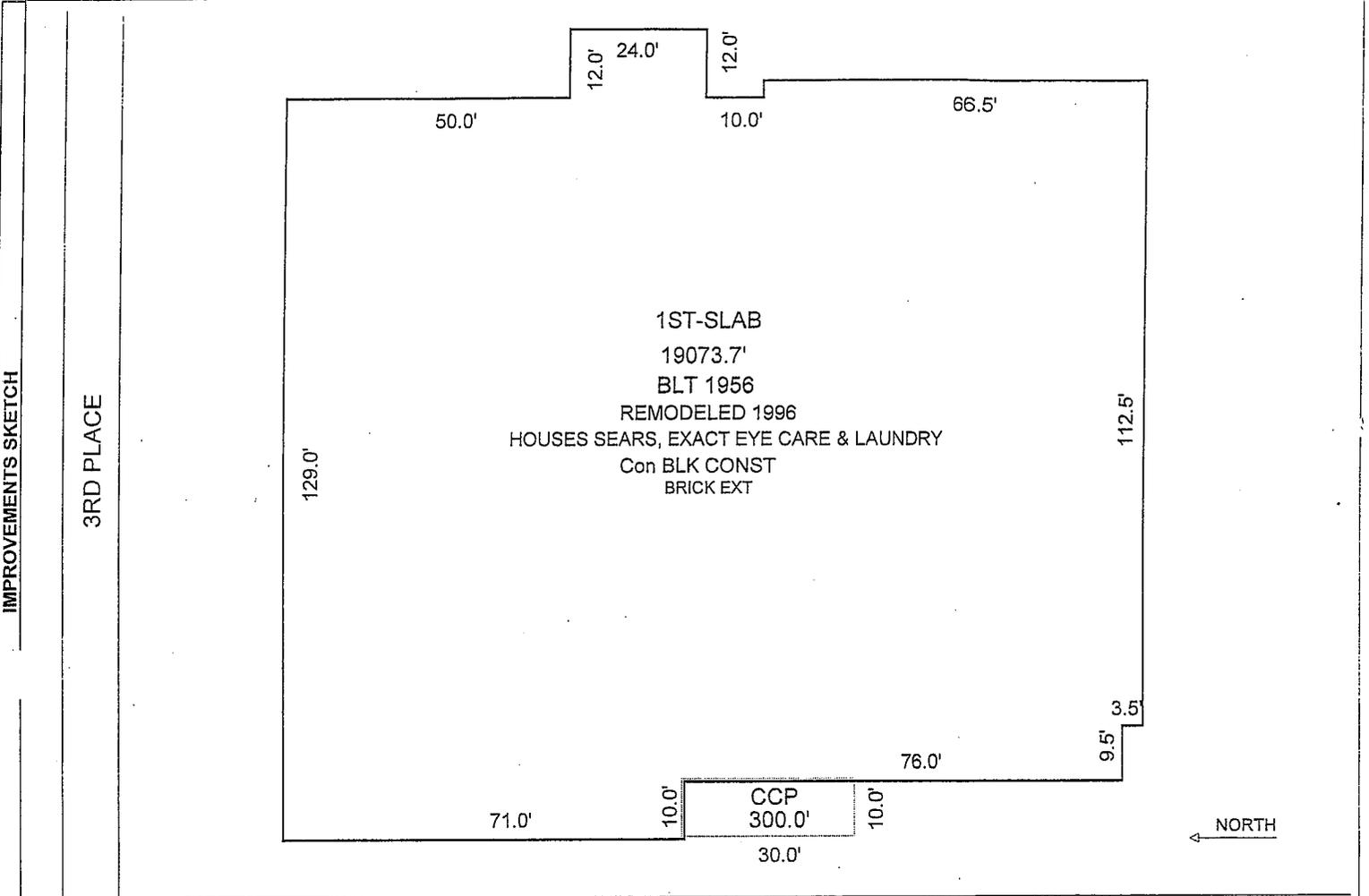
*** Information herein deemed reliable but not guaranteed***

SKETCH/AREA TABLE ADDENDUM

Parcel No 318NLRD

File No 051-120-2930-155-002

E C T	Property Address 318 NORTH LINCOLN ROAD		
	City	State	Zip
	Owner		
	Client		
	Appraiser Name KEVIN DUBORD		Inspection Date DRAWN 1-21-09



318 NORTH LINCOLN ROAD

AREA CALCULATIONS SUMMARY					
Code	Description	Factor	Net Size	Perimeter	Net Totals
GLA1	1ST-SLAB	1.00	19073.7	589.0	19073.7
P/P	Porch	1.00	300.0	80.0	300.0
Net LIVABLE Area (Rounded w/ Factors)					19074

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

Dagenais Real Estate Inc.,
Petitioner,

v

MTT Docket No. 16-002825

City of Escanaba,

Respondent.

PROOF OF SERVICE

County of Wayne
State of Michigan

Karen Cameron, who being duly sworn, deposes and says that on the 25th day of July 2016 she served a true copy of the PETITION to:

Daina Norden, Assessor
City of Escanaba
410 Ludington St
PO Box 948
Escanaba, MI 49829

Equalization Director
Delta County
310 Ludington St
Escanaba, MI 49829

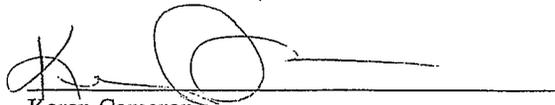
Robert S. Richards, City Clerk
410 Ludington St
PO Box 948
Escanaba, MI 49829

Nancy Kolich, County Clerk
Delta County
310 Ludington St.
Escanaba, MI 49829

Natalie Clouse, Secretary
Escanaba Public Schools
1500 Ludington St
Escanaba, MI 49829

State Treasurer
Michigan Department of Treasury
Lansing, MI 48922

by placing said document in envelopes to the above parties with postage fully prepared, and depositing said envelopes in a receptacle for United States mail.



Karen Cameron
GSA PROPERTY TAX CONSULTANTS
38110 Executive Drive, Suite 100
Westland, MI 48185-3132

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

DAGENAIS REAL ESTATE INC,
Petitioner,

v
City of Escanaba,
Respondent.

MTT Docket No. 16-002825

PETITION

Petitioner, DAGENAIS REAL ESTATE INC, through their representative, GSA Property Tax Consultants, petitions this Tribunal as follows:

1. Petitioner is DAGENAIS REAL ESTATE INC, whose principal office or legal address is 1505 N. Lincoln Road, Escanaba, MI 49829.
2. Respondent, City of Escanaba, levies and collects the property taxes on the subject property.
3. The property identification numbers are 051-420-2836-300-007, 051-420-2836-300-015 and 051-420-2836-300-024 and the property is classified as commercial real.
4. The parcels are contiguous.
5. The property is located in the County of Delta and the school districts of Escanaba Public, Delta Intermediate, and the Community College is Bay de Noc.
6. This matter involves issues relating to assessed and taxable values.
7. At this time, Petitioner believes, as it relates to taxable value, that there is a dispute relative of a loss.
8. For tax year 2016, Respondent determined the following values:

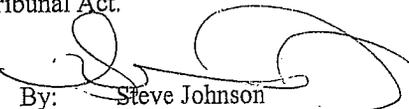
<u>Parcel ID Number</u>	<u>Assessed</u>	<u>State Equalized</u>	<u>Taxable</u>
051-420-2836-300-007	313,653	313,653	313,653
051-420-2836-300-015	183,244	183,244	183,244
051-420-2836-300-024	119,892	119,892	119,892
Totals	616,789	616,789	616,789

9. Our initial review of the subject property indicates the assessment exceeds 50% of true cash value and is not uniform with others in its class.
10. Petitioner's contention of value is the following:

<u>Parcel ID Number</u>	<u>True Cash</u>	<u>State Equal</u>	<u>Taxable</u>	<u>Contention</u>
051-420-2836-300-007	305,400	152,700	152,700	160,953
051-420-2836-300-015	178,200	89,100	89,100	94,144
051-420-2836-300-024	116,400	58,200	58,200	61,692
Totals	600,000	300,000	300,000	316,789

11. Petitioner requests that the Tribunal reduce the values as indicated above and order a refund with interest as provided by the Tax Tribunal Act.

Dated: May 31, 2016

By: 
Steve Johnson
GSA Property Tax Consultants
38110 Executive Drive, Suite 100
Westland, MI 48185-3132
Phone: 734-595-7727



property tax consultants

38110 Executive Drive
Suite 100
Westland, MI 48185-3132

Phone: (734) 595-7727
Fax: (734) 595-7736
www.gsatax.com

May 31, 2016

IronInfo:4606 21307620-1 06/01/16
LNK#: 29533 Amt: 8430.00
TO: DAGENAIS REAL ESTATE INC.

Ms. Jennifer Andreau, Chief Clerk
Michigan Tax Tribunal
Po Box 30232
611 W. Ottawa, 4th floor
Lansing, MI 48909

RE: 2016 Property Tax Appeal
Dagenais Real Estate Inc. v City of Escanaba
Parcel UD # 051-420-2836-300-007, 051-420-2836-300-015, 051-420-2836-300-024

Dear Ms. Andreau:

Enclosed please find PETITION for the above-referenced property. This mail is being sent via certified mail # 7011 0470 0002 8626 0983.

Please process in your usual manner.

Sincerely,

Steve Johnson
GSA Property Tax Consultants

Enclosure

*Trillion Park
Clubhouse.*

*PMD
5-31-16*

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

DAGENAIS REAL ESTATE INC,
Petitioner,

v

MTT Docket No.

City of Escanaba,

Respondent.

PETITION

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<u>Parcel ID Number</u>	<u>Assessed</u>	<u>State Equalized</u>	<u>Taxable</u>
051-420-2836-300-007	313,653	313,653	313,653
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051-420-2836-300-024	119,892	119,892	119,892
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051-420-2836-300-015	178,200	89,100	89,100	94,144
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Totals	600,000	300,000	300,000	316,789

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Dated: May 31, 2016


By: Steve Johnson
GSA Property Tax Consultants
38110 Executive Drive, Suite 100
Westland, MI 48185-3132
Phone: 734-595-7727

General Property Information

City of Escanaba

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Parcel: 051-420-2836-300-007 **Unit:** City of Escanaba

Property Address [collapse]

1620 WILLOW CREEK ROAD EDGEWOOD
 ESCANABA, MI 49829

Owner Information [collapse]

DAGENAIS REAL ESTATE INC
 1505 N LINCOLN RD
 ESCANABA, MI 49829-1834

Unit: 051

Taxpayer Information [collapse]

DAGENAIS ENTERPRISES
 1505 N LINCOLN RD
 ESCANABA, MI 49829-1834

General Information for Tax Year 2016 [collapse]

Property Class:	201 - Commercial, 201	Assessed Value:	\$313,653
School District:	21010 - Escanaba Schools	Taxable Value:	\$313,653
State Equalized Value:	21010	Map #	N/A
User Num Idx	\$313,653	Date of Last Name Chg:	02/19/2016
	0	Date Filed:	05/01/1998
		Notes:	N/A
Historical District:	N/A	Census Block Group:	N/A

Principal Residence Exemption	June 1st	Final
2017	0.0000 %	-
2016	0.0000 %	0.0000 %

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2015	\$330,707	\$330,707	\$330,707
2014	\$338,941	\$338,941	\$333,751

Land Information [collapse]

	Frontage	Depth
Lot 1:	N/A	N/A
Lot 2:	N/A	N/A
Lot 3:	N/A	N/A
Total Frontage:	N/A	Average Depth: N/A

Total Acreage: N/A

Zoning Code:

Total Estimated Land Value:	N/A	Mortgage Code:	00102
Land Improvements:	\$0	Lot Dimensions/Comments:	N/A
Renaissance Zone:	N/A		
Renaissance Zone Expiration Date:	N/A		

Legal Information for 051-420-2836-300-007 [collapse]

COMM @ SE COR NW1/4 SW1/4 SEC 36 T39N R23W TH W 268 FT TO POB TH N 115 FT TH S 89D 49M 48S E 18.04 FT TH N 1D 29M W 148.14 FT TH N89°49'48"W 37 FT TH N1°29'W 75 FT TH W 1037.52 FT M/L TO W LN NW 1/4 SW 1/4 TH S 337.91 FT TO S LN NW 1/4 SW 1/4 TH E 1056.48 FT M/L TO POB ALSO N1/2 OF S1/2 OF S1/2 OF NW1/4 OF SW1/4 EXC S 300 FT OF N 315 FT OF E 580 FT AC #402 (DESC INCLUDES 420-2836-300-034 AC # 403-1 FOR 2012 TAX YEAR)

Sales Information

1 sale record(s) found.

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
04/16/1997	\$35,000.00	WD		DAGENAIS	WD	476/218

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A # 402

CITY OF ESCANABA

PARCEL NUMBER : 051-420-2836-300-007

01 APR 2008

COUNTY : DELTA 401
SCHOOL DISTRICT: 21010 21010
PROPERTY LOCATION: NEIGHBORHOOD: 2
DAGENAIS REAL ESTATE INC ZONED: V
1502 WILLOW CREEK ROAD
ESCANABA MI 49829

SALES INFORMATION table with columns: GRANTEE, DATE, INSTR, LIBR, PAGE, SALE PRICE. Row 1: DAGENAIS, 04/16/97, WD, 476, 218, 35,000

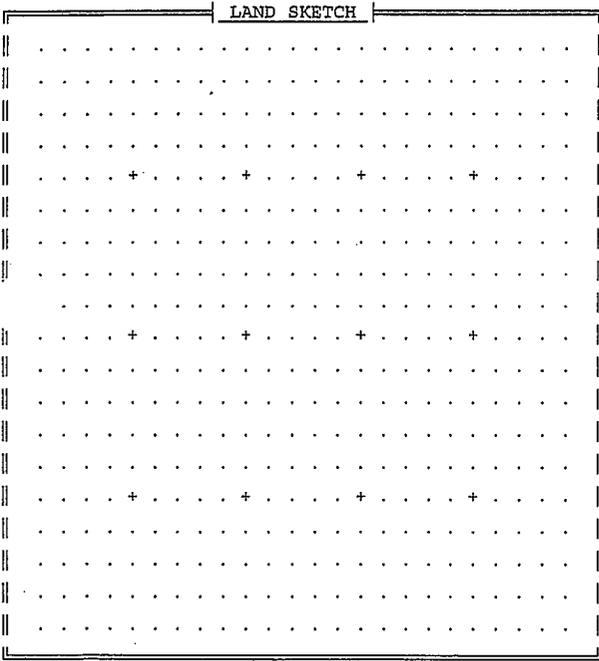
MAILING ADDRESS(S):
DAGENAIS REAL ESTATE INC
1505 NORTH LINCOLN ROAD
ESCANABA MI 49829

DESCRIPTION table with columns: DESCRIPTION, DATE, AMOUNT

TRUE CASH VALUE table with columns: YEAR, LAND, BUILDINGS, CODE, HMST, ASSESSMENT, EQUALIZED, TAXABLE. Rows for years 2007, 2006, 2005, 2004.

Acreeage, Improved, Residential
Level

EXAMINED BY:
EXAMINE DATE:
INTERVIEWED:
PROPERTY CLASS: 401 - RESIDENTIAL



LAND COMPUTATIONS table with columns: SIZE, FACTOR, DESCRIPTION, RATE, VALUE. Row 1: 1, 1.00, 30000, 30,000

LAND IMPROVEMENTS Sf/Lf/Ea Rate DeprCost

DESCRIPTION:
FRM SE COR NW 1/4 SW 1/4 SEC 36 T39N R23W MEAS W AT
RT ANG 400 FT TO POB TH N 115 FT TH S 89D 49M 48S E
150.04 FT TH N 1D 29M W 148.14 FT TH N 89D 49M 48S
W 37 FT TH N 1D 29M W 75 FT TH W AT RT ANG 1037.52
FT M/L TO W LN OF NW 1/4 OF SW 1/4 TH S 337.91 FT
TO S LN NW 1/4 SW 1/4 TH E 924.48 FT M/L TO POB
ALSO N 1/2 S 1/2 S 1/2 NW 1/4 SW 1/4 EXC S 300 FT
OF N 315 FT OF E 580 FT 2836-300-007 AC #402

2008 FINAL VALUES table with columns: PROPERTY BASE VALUE, NEIGHBORHOOD FACTOR, TRUE CASH VALUE, LAND IMPROVEMENT BASE, COST NEW MULTIPLIER, DEPRECIATION, NEIGHBORHOOD ECF, NBHD LAND FACTOR, TRUE CASH VALUE, BLDGS TOTAL TRUE CASH, TRANSFER, HOMESTEAD PERCENT, TOTAL TRUE CASH VALUE, CALCULATED ASSESSMENT, ASSESSMENT OVERRIDE, CLASS FACTOR APPLIED, BOR ASSESSMENT, STC/MTT ASSESSMENT, FINAL ASSESSMENT, EQUALIZATION FACTOR, STATE EQUALIZED VALUE, CAPPED VALUE, TOTAL TAXABLE VALUE.

General Property Information**City of Escanaba**[\[Back to Non-Printer Friendly Version\]](#) [\[Send To Printer\]](#)**Parcel:** 051-420-2836-300-015 **Unit:** City of Escanaba**Property Address** [collapse]1620 WILLOW CREEK ROAD EDGEWOOD
ESCANABA, MI 49829**Owner Information** [collapse]DAGENAIS REAL ESTATE INC
1505 N LINCOLN RD
ESCANABA, MI 49829-1834**Unit:** 051**Taxpayer Information** [collapse]DAGENAIS ENTERPRISES
1505 N LINCOLN RD
ESCANABA, MI 49829-1834**General Information for Tax Year 2016** [collapse]

Property Class:	201 - Commercial, 201	Assessed Value:	\$183,244
School District:	21010 - Escanaba Schools	Taxable Value:	\$183,244
State Equalized Value:	21010	Map #	N/A
User Num Idx	\$183,244	Date of Last Name Chg:	02/19/2016
	0	Date Filed:	
		Notes:	N/A
Historical District:	N/A	Census Block Group:	N/A
Principal Residence Exemption	June 1st	Final	
2017	0.0000 %	-	
2016	0.0000 %	0.0000 %	

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2015	\$196,072	\$196,072	\$196,072
2014	\$197,152	\$197,152	\$195,064

Land Information [collapse]

	Frontage	Depth
Lot 1:	N/A	N/A
Lot 2:	N/A	N/A
Lot 3:	N/A	N/A
Total Frontage:	N/A	Average Depth: N/A
Total Acreage:	N/A	
Zoning Code:		
Total Estimated Land Value:	N/A	Mortgage Code: 00102
Land Improvements:	\$0	Lot Dimensions/Comments: N/A
Renaissance Zone:	N/A	
Renaissance Zone Expiration Date:	N/A	

Legal Information for 051-420-2836-300-015 [collapse]

SEC 36 T39N R23W N 1/2 SW 1/4 SW 1/4 AC #401

Sales Information**1 sale record(s) found.**

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
04/16/1997	\$86,200.00	WD	CITY OF ESCANABA	DAGENAIS REAL ESTATE INC	ARMS-LENGTH	476/434

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AC#401

Parcel Number: 051-420-2836-300-015

Jurisdiction: City of Escanaba

County: Delta

Printed on

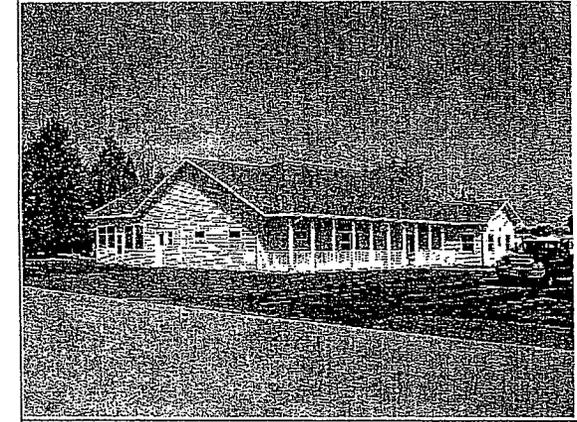
04/02/2012

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
CITY OF ESCANABA	DAGENAIS REAL ESTATE INC	86,200	04/16/1997	WD	ARMS-LENGTH	476/434		0.0

Property Address	Class: Commercial, 201	Zoning: 293	Building Permit(s)	Date	Number	Status
1620 WILLOW CREEK ROAD EDGEWOOD	School: DISTRICT 21010					
Owner's Name/Address	P.R.E. 0%					
DAGENAIS REAL ESTATE INC 1505 NORTH LINCOLN ROAD ESCANABA MI 49829	Map #: 401					
	2012 Est TCV 376,247 TCV/TFA: 0.00					

Tax Description	X	Improved	Vacant	Land Value Estimates for Land Table 150. TRAILER PARKS						
				Description	Frontage	Depth	Rate %Adj.	Reason	Value	
SEC 36 T39N R23W N 1/2 SW 1/4 SW 1/4 AC #401				4000/AC		19.900 Acres	4000	100		79,600
						19.90 Total Acres	Total Est. Land Value =			79,600

Comments/Influences



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Public Improvements		Topography of Site		Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.		Level Rolling Low High Landscaped Swamp Wooded Pond Waterfront Ravine Wetland Flood Plain		2012	39,800	148,324	188,124			188,124S
KD 09/18/2008 Inspected				2011	402,104	0	402,104			367,211C
KD 02/13/2010 Data Enter				2010	0	364,225	364,225			361,073C
				2009	0	362,160	362,160			362,160S

*** Information herein deemed reliable but not guaranteed***

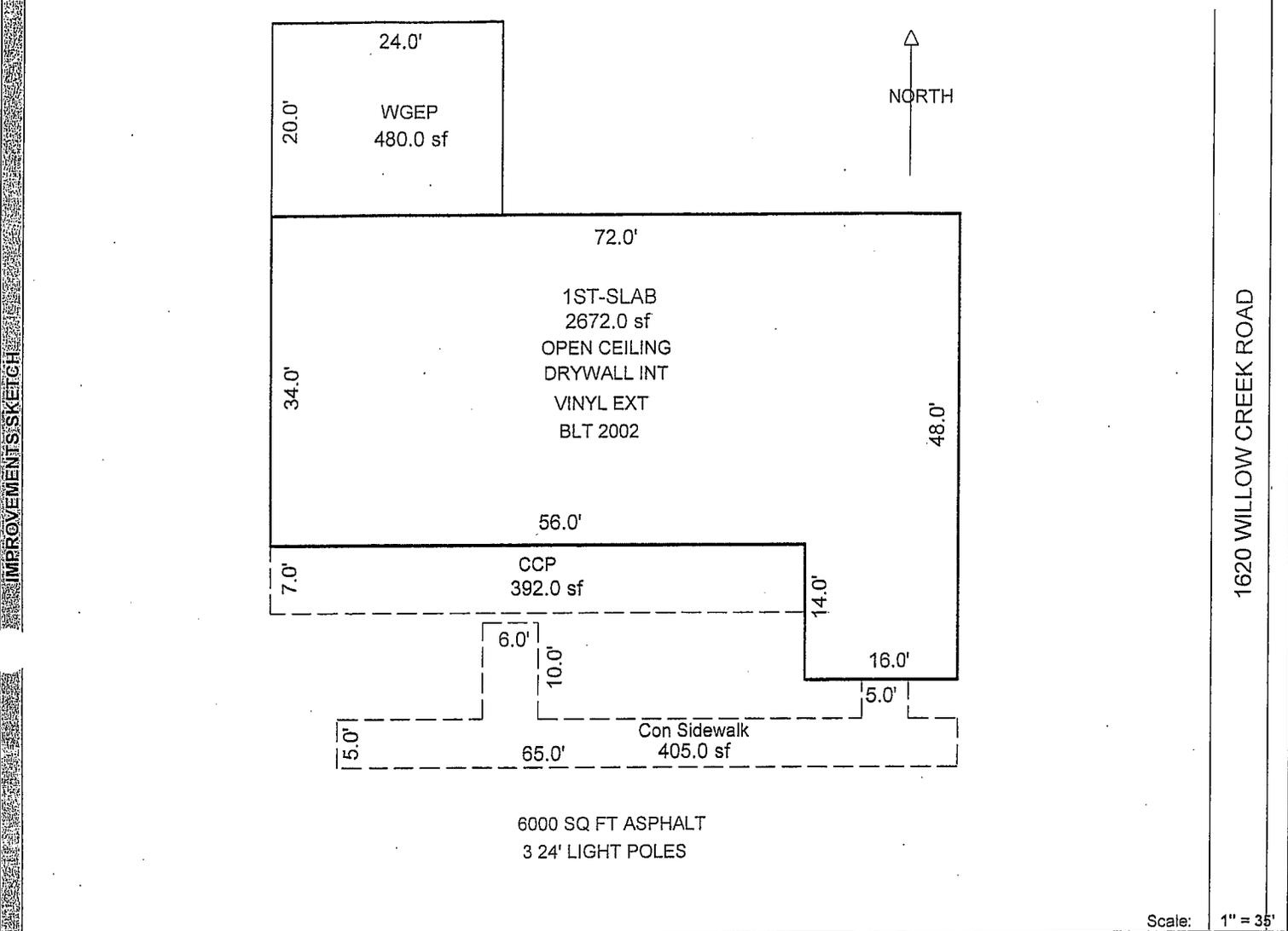
Desc. of Bldg/Section: COST/STALL INC BUILDING Calculator Occupancy: Clubhouse				<<<<< Calculator Cost Computations >>>>> Class: D Quality: Good Percent Adj: +0							
Class: D Floor Area Stories Above Grd Average Sty Hght : 10 Bsmnt Wall Hght		Construction Cost <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;">High</td> <td style="width:15%;">Above Ave.</td> <td style="width:15%;">X Ave.</td> <td style="width:15%;">Low</td> </tr> </table>		High	Above Ave.	X Ave.	Low	Base Rate for Upper Floors = 88.20		(10) Heating system: Forced Air Furnace Cost/SqFt: -3.40 100% Adjusted Square Foot Cost for Upper Floors = 84.80	
High	Above Ave.	X Ave.	Low								
Depr. Table : 2.5% Effective Age : 1 Physical %Good: 98 Func. %Good : 100 Economic %Good: 100		** ** Calculator Cost Data ** ** Quality: Good Adj: %+0 \$/SqFt:0.00 Heat#1: Forced Air Furnace 100 Heat#2: Forced Air Furnace 0% Ave. SqFt/Story Ave. Perimeter Has Elevators:		0 Stories Average Height per Story: 10 Ave. Floor Area: 0 Perimeter: 0 Refined Square Foot Cost for Upper Floors: 84.80		Number of Stories Multiplier: 1.000 Height per Story Multiplier: 1.000 Perim. Multiplier: 1.000					
2002 Year Built Remodeled		*** Basement Info *** Area: Perimeter: Type: Finished/Office (No Rates) Heat: No Heating or Cooling		County Multiplier: 1.15, Final Square Foot Cost for Upper Floors = 97.520 Total Floor Area: 0 Base Cost New of Upper Floors = 0		Reproduction/Replacement Cost = 0 Total Depreciated Cost = 0					
10 Overall Bldg Height		* Mezzanine Info * Area #1: Type #1: Office (No Rates) Area #2: Type #2: Office (No Rates)		Eff.Age:1 Phy.%Good/Abnr.Phy./Func./Econ./Overall %Good: 98 /100/100/100/98.0 Total Depreciated Cost = 0		Unit in Place Items /CI13/MANHP/ZEXC/KEXCP 15085.00 19 1.15 1.00 90 296,647					
Comments:		* Sprinkler Info * Area: Type: Good		ECF (TRAILER PARKS) 1.000 => TCV of Bldg: 1 = 296,647							
(1) Excavation/Site Prep:		(7) Interior:		(11) Electric and Lighting:		(39) Miscellaneous:					
(2) Foundation:		(8) Plumbing:		Outlets:		Fixtures:					
X Poured Conc	Brick/Stone	Block	Footings	Many Above Ave.	Average Typical	Few None	X Few Average	X Few Average			
(3) Frame:		Total Fixtures		Urinals		Many Unfinished		Many Unfinished			
		3-Piece Baths		Wash Bowls		Typical		Typical			
		2-Piece Baths		Water Heaters		Flex Conduit		Incandescent			
		Shower Stalls		Wash Fountains		Rigid Conduit		Fluorescent			
		Toilets		Water Softeners		Armored Cable		Mercury			
(4) Floor Structure:						Non-Metalic		Sodium Vapor			
						Bus Duct		Transformer			
(5) Floor Cover:		(9) Sprinklers:		(13) Roof Structure:		Slope=0		(40) Exterior Wall:			
								Thickness			
								Bsmnt Insul.			
(6) Ceiling:		(10) Heating and Cooling:		(14) Roof Cover:							
		X Gas Oil		Coal Stoker		Hand Fired Boiler					

*** Information herein deemed reliable but not guaranteed***

SKETCH/AREA TABLE ADDENDUM

Parcel No 051-420-2836-300-015

JECT	Property Address WILLOW CREEK ROAD			
	City ESCANABA	County Delta	State MI	Zip 49829
	Owner DAGENAIS REAL ESTATE INC			
	Client		Client Address 1620WCRD	
Appraiser Name KEVIN DUBORD		Inspection Date DRAWN 10-3-11		



AREA CALCULATIONS SUMMARY						Comment Table 1						
Code	Description	Factor	Net Size	Perimeter	Net Totals							
GLA1	1ST-SLAB	1.00	2672.00	240.0	2672.00							
P/P	Porch	1.00	392.00	126.0								
	Porch	1.00	405.00	168.0	797.00							
OTH	Storage	1.00	480.00	88.0	480.00							
Net LIVABLE Area					(rounded w/ factors)	2672	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">Comment Table 2</td> <td style="width: 50%; text-align: center;">Comment Table 3</td> </tr> <tr> <td style="height: 100px;"></td> <td style="height: 100px;"></td> </tr> </table>		Comment Table 2	Comment Table 3		
Comment Table 2	Comment Table 3											

General Property Information

City of Escanaba

[\[Back to Non-Printer Friendly Version\]](#) [\[Send To Printer\]](#)

Parcel: 051-420-2836-300-024 Unit: City of Escanaba

Property Address [collapse]1620 WILLOW CREEK ROAD EDGEWOOD
ESCANABA, MI 49829**Owner Information** [collapse]DAGENAIS REAL ESTATE INC
1505 N LINCOLN RD
ESCANABA, MI 49829-1834

Unit: 051

Taxpayer Information [collapse]DAGENAIS ENTERPRISES
1505 N LINCOLN RD
ESCANABA, MI 49829-1834**General Information for Tax Year 2016** [collapse]

Property Class:	201 - Commercial, 201	Assessed Value:	\$119,892
School District:	21010 - Escanaba Schools	Taxable Value:	\$119,892
State Equalized Value:	\$119,892	Map #	N/A
User Num Idx	0	Date of Last Name Chg:	02/19/2016

Date Filed:

N/A

Notes:

N/A

Historical District: N/A**Census Block Group:**

N/A

Principal Residence Exemption	June 1st	Final
2017	0.0000 %	-
2016	0.0000 %	0.0000 %

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2015	\$125,936	\$125,936	\$123,955
2014	\$122,797	\$122,797	\$122,003

Land Information [collapse]

	Frontage	Depth
Lot 1:	N/A	N/A
Lot 2:	N/A	N/A
Lot 3:	N/A	N/A
Total Frontage:	N/A	Average Depth: N/A

Total Acreage: N/A**Zoning Code:****Total Estimated Land Value:** N/A**Mortgage Code:** 00102**Land Improvements:** \$0**Lot Dimensions/Comments:** N/A**Renaissance Zone:** N/A**Renaissance Zone Expiration Date:** N/A**Legal Information for 051-420-2836-300-024** [collapse]

SEC 36 T39N R23W S 1/2 SW 1/4 SW 1/4 19.9 AC #401-1 EDGEWOOD ESTATES

Sales Information**1 sale record(s) found.**

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
04/16/1997	\$120,000.00	WD		DAGENAIS	WD	476/434

****Disclaimer:** BS&A Software provides this Web Site as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or inferred. Please contact your local municipality if you believe there are errors in the data.

[Privacy Policy](#)

Ac # 401-1

051

13 MAY 2010

PARCEL NUMBER : 051-420-2836-300-024
 COUNTY : CITY OF ESCANABA 201
 SCHOOL DISTRICT: 21010 21010

ERTY LOCATION: NEIGHBORHOOD: 93
 DAGENAIS REAL ESTATE INC ZONED: 293
 WILLOW CREEK ROAD
 ESCANABA MI 49829

MAILING ADDRESS(S):
 DAGENAIS REAL ESTATE INC
 1505 NORTH LINCOLN ROAD
 ESCANABA MI 49829

SALES INFORMATION							
GRANTEE	DATE	INSTR	LIBR	PAGE	SALE PRICE		
DAGENAIS	04/16/97	WD	476	434	120,000		
DESCRIPTION				DATE	AMOUNT		
EDGEWOOD EST COMMUNITY BLDG				01/10/03	250,000		
TRUE CASH VALUE							
YEAR	LAND	BUILDINGS	CODE	HMST	ASSESSMENT	EQUALIZED	TAXABLE
2009	587,700	0	OR	0	404,590	404,590	404,590
2008	450,250	206,023	OR	0	404,590	404,590	404,590
2007	450,250	188,893	OR	0	402,580	402,580	402,580
2006	450,250	193,033	OR	0	393,530	393,530	393,530

Acreage, Improved, Residential
 High, Level
 Electric, Gas, Paved Road, Sanitary Sewer, Storm Sewer, Water

LAND SKETCH	

LAND COMPUTATIONS				
SIZE	FACTOR	DESCRIPTION	RATE	VALUE
20	1.67	652.88 X 1334.38	15000	501,000

LAND IMPROVEMENTS	Sf/Lf/Ea	Rate	DeprCost
ADJUSTMENTS or Enhancing/Detracting Influences			
BOR ADJ			-1000

DESCRIPTION:
 SEC 36 T39N R23W S 1/2 SW 1/4 SW 1/4 19.9 AC #401-1
 EDGEWOOD ESTATES

2010 FINAL VALUES:			
PROPERTY BASE VALUE :	501,000	TOTAL TRUE CASH VALUE:	500,000
NEIGHBORHOOD FACTOR:	1.00	CALCULATED ASSESSMENT:	250,000
TRUE CASH VALUE :	501,000	ASSESSMENT OVERRIDE:	
LAND IMPROVEMENT BASE:	-1,000	CLASS FACTOR APPLIED:	1.00000
COST NEW MULTIPLIER:	NA	BOR ASSESSMENT:	
DEPRECIATION :	NA	STC/MTT ASSESSMENT:	
NEIGHBORHOOD ECF :	NA	FINAL ASSESSMENT:	250,000
NBHD LAND FACTOR :	NA	EQUALIZATION FACTOR:	1.00000
TRUE CASH VALUE :	-1,000	STATE EQUALIZED VALUE:	250,000
BLDGS TOTAL TRUE CASH:	0	CAPPED VALUE:	250,000
TRANSFER:			
HOMESTEAD PERCENT:	0%	TOTAL TAXABLE VALUE:	250,000

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

DAGENAIS, ROBERT & JEANINE/DAGENAIS REAL ESTATE,
Petitioner,

v

MTT Docket No. 16-003291

City of Escanaba,
Respondent.

PROOF OF SERVICE

County of Wayne
State of Michigan

Karen Cameron, who being duly sworn, deposes and says that on the 25th day of July 2016 she served a true copy of the PETITION to:

Daina Norden, Assessor
City of Escanaba
410 Ludington St
PO Box 948
Escanaba, MI 49829

Equalization Director
Delta County
310 Ludington St
Escanaba, MI 49829

Robert S. Richards, City Clerk
410 Ludington St
PO Box 948
Escanaba, MI 49829

Nancy Kolich, County Clerk
Delta County
310 Ludington St.
Escanaba, MI 49829

Natalie Clouse, Secretary
Escanaba Public Schools
1500 Ludington St
Escanaba, MI 49829

State Treasurer
Michigan Department of Treasury
Lansing, MI 48922

by placing said document in envelopes to the above parties with postage fully prepared, and depositing said envelopes in a receptacle for United States mail.



Karen Cameron
GSA PROPERTY TAX CONSULTANTS
38110 Executive Drive, Suite 100
Westland, MI 48185-3132

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

DAGENAIS, ROBERT & JEANINE/DAGENAIS REAL ESTATE,
Petitioner,

v

MTT Docket No. 16-003291

City of Escanaba,
Respondent.

PETITION

Petitioner, DAGENAIS, ROBERT & JEANINE/DAGENAIS REAL ESTATE, through their representative, GSA Property Tax Consultants, petitions this Tribunal as follows:

1. Petitioner is DAGENAIS, ROBERT & JEANINE/DAGENAIS REAL ESTATE, whose principal office or legal address is 1505 N. Lincoln Road, Escanaba, MI 49829.
2. Respondent, City of Escanaba, levies and collects the property taxes on the subject property.
3. The property identification numbers are 051-420-2825-400-006, 051-420-2825-400-005 and the property is classified as commercial real.
4. The parcels are contiguous.
5. The property is located in the County of Delta and the school districts of Escanaba Public, Delta Intermediate, and the Community College is Bay de Noc.
6. This matter involves issues relating to assessed and taxable values.
7. At this time, Petitioner believes, as it relates to taxable value, that there is a dispute relative of a loss.
8. For tax year 2016, Respondent determined the following values:

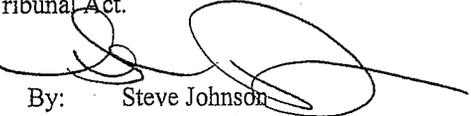
<u>Parcel ID Number</u>	<u>Assessed</u>	<u>State Equalized</u>	<u>Taxable</u>
051-420-2825-400-006	547,387	547,387	503,495
051-420-2825-400-005	1,094,467	1,094,467	903,503
Totals	1,641,854	1,641,854	1,406,998

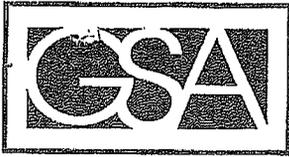
9. Our initial review of the subject property indicates the assessment exceeds 50% of true cash value and is not uniform with others in its class.
10. Petitioner's contention of value is the following:

<u>Parcel ID Number</u>	<u>True Cash</u>	<u>State Equal</u>	<u>Taxable</u>	<u>Contention</u>
051-420-2825-400-006	500,000	250,000	250,000	297,387
051-420-2825-400-041	800,000	400,000	400,000	694,467
Totals	1,300,000	650,000	650,000	991,854

11. Petitioner requests that the Tribunal reduce the values as indicated above and order a refund with interest as provided by the Tax Tribunal Act.

Dated: May 31, 2016


By: Steve Johnson
GSA Property Tax Consultants
38110 Executive Drive, Suite 100
Westland, MI 48185-3132
Phone: 734-595-7727



property tax consultants

38110 Executive Drive
Suite 100
Westland, MI 48185-3132

Phone: (734) 595-7727
Fax: (734) 595-7736
www.gsatax.com

May 31, 2016

TransInfo:4606 21387469-1 06/01/16
CHK#: 29535 Amt: \$312.50
TO: DAGENAIS REAL ESTATE INC

Ms. Jennifer Andreau, Chief Clerk
Michigan Tax Tribunal
Po Box 30232
611 W. Ottawa, 4th floor
Lansing, MI 48909

TransInfo:4606 21387671-1 06/01/16
CHK#: 5018 Amt: \$312.50
TO: DAGENAIS REAL ESTATE INC

RE: 2016 Property Tax Appeal
DAGENAIS, ROBERT & JEANINE/DAGENAIS REAL ESTATE v City of Escanaba
Parcel ID#: 051-420-2825-400-006, 051-420-2825-400-005

Dear Ms. Andreau:

Enclosed please find PETITION for the above-referenced property. This mail is being sent via certified mail # 7011 0470 0002 8626 0983.

Please process in your usual manner.

Sincerely,

Steve Johnson
GSA Property Tax Consultants

Enclosure

Chrysler

PMD
5-31-16

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
MICHIGAN TAX TRIBUNAL

DAGENAIS, ROBERT & JEANINE/DAGENAIS REAL ESTATE,
Petitioner,

v
City of Escanaba,

Respondent.

MTT Docket No.

PETITION

Petitioner, DAGENAIS, ROBERT & JEANINE/DAGENAIS REAL ESTATE, through their representative, GSA Property Tax Consultants, petitions this Tribunal as follows:

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3. The property identification numbers are 051-420-2825-400-006, 051-420-2825-400-005 and the property is classified as commercial real.
4. The parcels are contiguous.
5. The property is located in the County of Delta and the school districts of Escanaba Public, Delta Intermediate, and the Community College is Bay de Noc.
6. This matter involves issues relating to assessed and taxable values.
7. At this time, Petitioner believes, as it relates to taxable value, that there is a dispute relative of a loss.
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<u>Parcel ID Number</u>	<u>Assessed</u>	<u>State Equalized</u>	<u>Taxable</u>
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Totals	1,641,854	1,641,854	1,406,998

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051-420-2825-400-006	500,000	250,000	250,000	297,387
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Totals	1,300,000	650,000	650,000	991,854

11. Petitioner requests that the Tribunal reduce the values as indicated above and order a refund with interest as provided by the Tax Tribunal Act.

Dated: May 31, 2016

By:  Steve Johnson
GSA Property Tax Consultants
38110 Executive Drive, Suite 100
Westland, MI 48185-3132
Phone: 734-595-7727

General Property Information**City of Escanaba**[\[Back to Non-Printer Friendly Version\]](#) [\[Send To Printer\]](#)

Parcel: 051-420-2825-400-006 Unit: City of Escanaba

Property Address [collapse]2511 LUDINGTON STREET
ESCANABA, MI 49829**Owner Information** [collapse]DAGENAIS REAL ESTATE INC
1505 N LINCOLN RD
ESCANABA, MI 49829-1834

Unit: 051

Taxpayer Information [collapse]DAGENAIS ENTERPRISES
1505 N LINCOLN RD
ESCANABA, MI 49829-1834**General Information for Tax Year 2016** [collapse]

Property Class:	201 - Commercial, 201	Assessed Value:	\$547,387
School District:	21010 - Escanaba Schools	Taxable Value:	\$503,495
State Equalized Value:	\$547,387	Map #	N/A
User Num Idx	0	Date of Last Name Chg:	02/19/2016
		Date Filed:	
		Notes:	N/A
Historical District:	N/A	Census Block Group:	N/A
Principal Residence Exemption	June 1st	Final	
2017	0.0000 %	-	
2016	0.0000 %	0.0000 %	

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2015	\$563,359	\$563,359	\$501,990
2014	\$577,907	\$577,907	\$494,085

Land Information [collapse]

	Frontage	Depth
Lot 1:	N/A	N/A
Lot 2:	N/A	N/A
Lot 3:	N/A	N/A
Total Frontage:	N/A	Average Depth: N/A
Total Acreage:	N/A	
Zoning Code:		
Total Estimated Land Value:	N/A	Mortgage Code: 00102
Land Improvements:	\$12,143	Lot Dimensions/Comments: N/A
Renaissance Zone:	N/A	
Renaissance Zone Expiration Date:	N/A	

Legal Information for 051-420-2825-400-006 [collapse]

SEC 25 T39N R23W [MAP# 160] [1.32 AC] COM 12.5 FT S & 330 FT W OF NW COR LOT 15 BLK 12 CITY CEN ADD #3 TH W ALG HWY 200 FT TH S 287.5 FT TO N ROW 1ST AVE S TH E 200 FT TH N 287.5 FT TO POB.

Sales Information

1 sale record(s) found.

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
08/11/2011	\$0.00	QCD	RIVERSIDE AUTO SALES INC	DAGENAIS REAL ESTATE INC	FAMILY	1021/404

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A# 160

Parcel Number: 051-420-2825-400-006

Jurisdiction: City of Escanaba

County: Delta

Printed on

12/19/2011

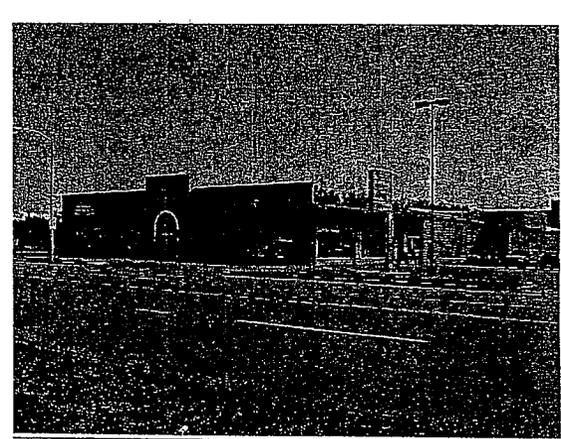
Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
RIVERSIDE AUTO SALES INC	DAGENAIS REAL ESTATE INC	0	08/11/2011	QCD	FAMILY	1021/404		0.0

Property Address	Class: Commercial, 201	Zoning: 291	Building Permit(s)	Date	Number	Status
2511 LUDINGTON STREET	School: DISTRICT 21010			09/10/2010	-2010000236	
Owner's Name/Address	2012 Est TCV Tentative					
DAGENAIS REAL ESTATE INC 1505 NORTH LINCOLN ROAD ESCANABA MI 49829	Map #: 160					

Tax Description	X Improved		Vacant	Land Value Estimates for Land Table 91.LUDINGTON 201					
	Public Improvements			* Factors *					
	Description	Frontage	Depth	Front	Depth	Rate	%Adj.	Reason	Value
SEC 25 T39N R23W COM 12.5 FT S & 330 FT W OF NW COR LOT 15 BLK 12 CITY CEN ADD #3 TH W ALG HWY 200 FT TH S 287.5 FT TO N ROW 1ST AVE S TH E 200 FT TH N 287.5 FT TO POB 1.32 AC 2511 LUDINGTON STREET AC #160	Dirt Road	200.00	287.50	1.0000	1.0000	1050	100	200 X 287.5	210,000
	Gravel Road	200 Actual Front Feet, 1.32 Total Acres							Total Est. Land Value = 210,000

Tax Description	Land Improvement Cost Estimates					
	Description	Rate	CountyMult.	Size	%Good	Cash Value
	D/W/P: Asphalt Paving	1.51	1.20	21525	80	31,203
	Total Estimated Land Improvements True Cash Value =					31,203

Comments/Influences	Work Description for Permit -2010000236, Issued 09/10/2010: ALTERATIONS TO EXISTING AUTO SALES GARAGE (NEW STORE FRONT)
X Electric	
X Gas	
X Curb	
X Street Lights	
X Standard Utilities	
X Underground Utils.	



Topography of Site			Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
X Level			2012	Tentative	Tentative	Tentative			Tentative
Rolling			2011	562,885	0	562,885			462,423C
Low			2010	0	509,860	509,860			454,694C
X High			2009	0	508,410	508,410			456,063C
Landscaped									
Swamp									
Wooded									
Pond									
Waterfront									
Ravine									
Wetland									
Flood Plain									

The Equalizer. Copyright (c) 1999 - 2009.
Licensed To: City of Escanaba, County of Delta

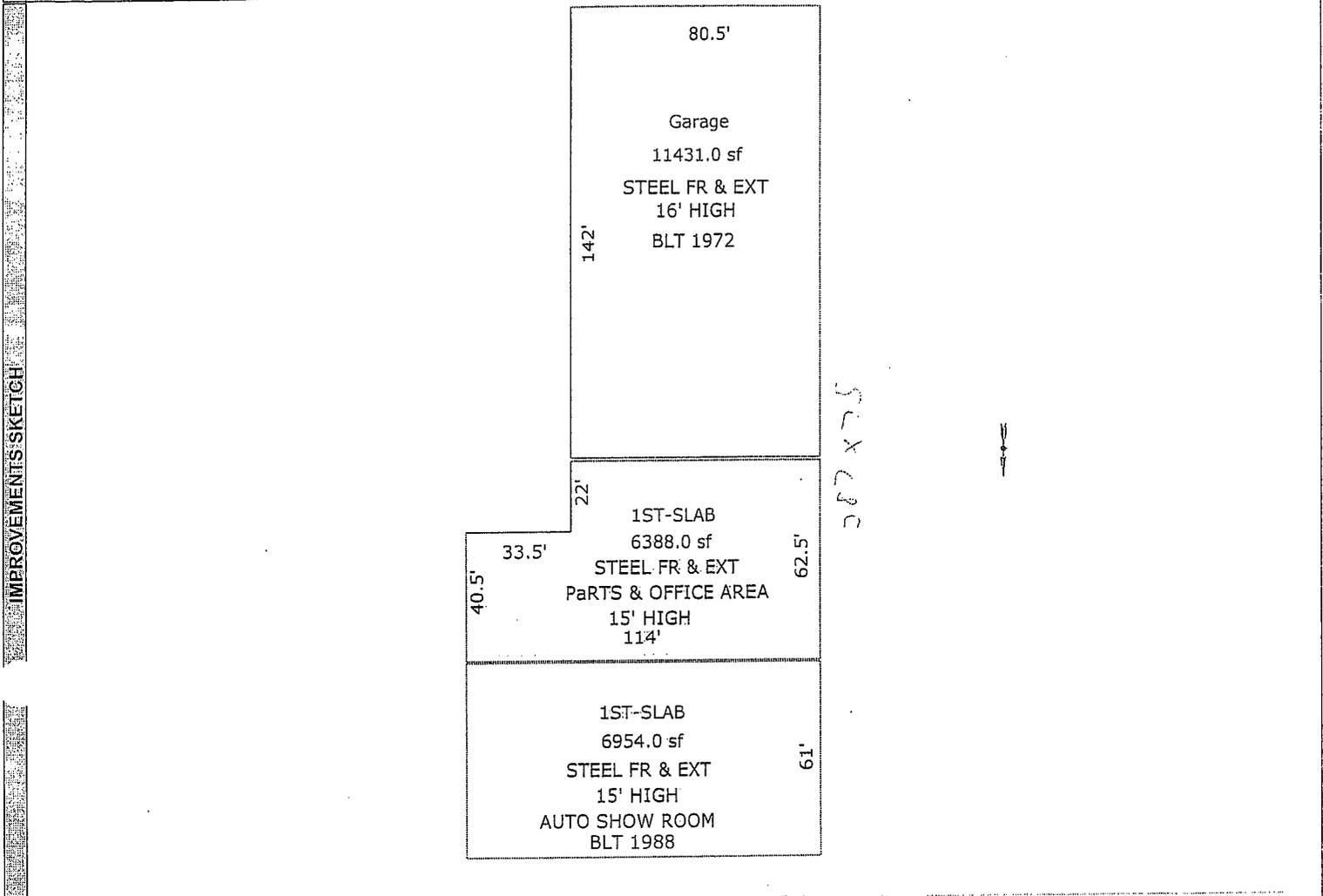
*** Information herein deemed reliable but not guaranteed***

SKETCH/AREA TABLE ADDENDUM

Parcel No 2511LUDS

File No 051-420-2825-400-006

SUBJECT	Property Address 2511 LUDINGTON STREET	
	City	State Zip
	Owner	
	Client	



2511 LUDINGTON STREET

Scale: 1 = 53

AREA CALCULATIONS SUMMARY						Comment Table 1					
Code	Description	Factor	Net Size	Perimeter	Net Totals						
GLA1	1ST-SLAB	1.00	6388.0	353.0							
	1ST-SLAB	1.00	6954.0	350.0	13342.0						
GAR	Garage	1.00	11431.0	445.0	11431.0						
Net LIVABLE Area (rounded w/ factors)					13342	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">Comment Table 2</td> <td style="width: 50%; text-align: center;">Comment Table 3</td> </tr> <tr> <td style="height: 100px;"></td> <td style="height: 100px;"></td> </tr> </table>		Comment Table 2	Comment Table 3		
Comment Table 2	Comment Table 3										

AREA CALCULATIONS

General Property Information**City of Escanaba**[\[Back to Non-Printer Friendly Version\]](#) [\[Send To Printer\]](#)**Parcel:** 051-420-2825-400-005 **Unit:** City of Escanaba**Property Address** [collapse]2625 LUDINGTON STREET
ESCANABA, MI 49829**Owner Information** [collapse]DAGENAIS ROBERT & JEANINE
2625 LUDINGTON ST
ESCANABA, MI 49829-1332**Unit:** 051**Taxpayer Information** [collapse]DAGENAIS ROBERT & JEANINE
2007 LAKE SHORE DR
ESCANABA, MI 49829-1944**General Information for Tax Year 2016** [collapse]

Property Class:	201 - Commercial, 201	Assessed Value:	\$1,094,467
School District:	21010 - Escanaba Schools	Taxable Value:	\$903,503
State Equalized Value:	21010	Map #	N/A
User Num Idx	\$1,094,467	Date of Last Name Chg:	02/19/2016
	0	Date Filed:	
		Notes:	N/A
Historical District:	N/A	Census Block Group:	N/A
Principal Residence Exemption	June 1st	Final	
2017	0.0000 %	-	
2016	0.0000 %	0.0000 %	

Previous Year Info	MBOR Assessed	Final S.E.V.	Final Taxable
2015	\$1,121,247	\$1,121,247	\$900,801
2014	\$347,246	\$347,246	\$347,246

Land Information [collapse]

	Frontage	Depth
Lot 1:	N/A	N/A
Lot 2:	N/A	N/A
Lot 3:	N/A	N/A
Total Frontage:	N/A	Average Depth: N/A
Total Acreage:	N/A	
Zoning Code:		
Total Estimated Land Value:	N/A	Mortgage Code:
Land Improvements:	\$195,295	Lot Dimensions/Comments: N/A
Renaissance Zone:	N/A	
Renaissance Zone Expiration Date:	N/A	

Legal Information for 051-420-2825-400-005 [collapse]

SEC 25 T39N R23W [MAP# 156-2] PRT OF NW1/4 OF SE1/4 [2.64 AC] COM 530 FT W OF NW COR LOT 15 BLK 12 CITY CENTER
ADD #3 TH W ALG HWY 400 FT TH S @ RT ANG 287.5 FT M/L TO N LN 1ST AVE S EXT TH E 400 FT TH N AT RT ANG 287.5 FT M/L
TO POB.

Sales Information

1 sale record(s) found.

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms Of Sale	Liber/Page
<input type="checkbox"/> 12/07/1999	\$465,000.00	WD	ELM GROVE	DAGENAIS	LC-FULFILL	790/958

****Disclaimer:** BS&A Software provides this Web Site as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or inferred. Please contact your local municipality if you believe there are errors in the data.

[Privacy Policy](#)

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prct. Trans.
ELM GROVE	DAGENAIS	465,000	12/07/1999	WD	LC-FULFILL	790/958		0.0

Property Address	Class: Commercial, 201	Zoning:	Building Permit(s)	Date	Number	Status
2625 LUDINGTON STREET	School: Escanaba Schools 21010	COMMERCIAL		01/30/2014	2014-000003	NOT INSPEC
Owner's Name/Address	P.R.E. 0%					
DAGENAIS ROBERT & JEANINE 2625 LUDINGTON STREET ESCANABA MI 49829	Map #: 156-2					
	2015 Est TCV 2,242,494 TCV/TFA: 110.44					

Taxpayer's Name/Address	Improved	Vacant	Land Value Estimates for Land Table 2/301.COMERCIAL & INDUSTRIAL
DAGENAIS ROBERT & JEANINE 2007 LAKESHORE DRIVE ESCANABA MI 49829	X		<p>* Factors * 400 X 287.5</p> <p>Description Frontage Depth Front Depth Rate %Adj. Reason Value</p> <p>SQ. FT. PR LINCOLN RD 2 115000 SqFt 8.00000 50 >100K SF 460,000</p> <p>2.64 Total Acres Total Est. Land Value = 460,000</p>

Tax Description	Rate	CountyMult.	Size	%Good	Cash Value
SEC 25 T39N R23W [MAP# 156-2] PRT OF NW1/4 OF SE1/4 [2.64 AC] COM 530 FT W OF NW COR LOT 15 BLK 12 CITY CENTER ADD #3 TH W ALG HWY 400 FT TH S @ RT ANG 287.5 FT M/L TO N LN 1ST AVE S EXT TH E 400 FT TH N AT RT ANG 287.5 FT M/L					
X Dirt Road					
X Gravel Road					
X Paved Road					
X Storm Sewer					
X Sidewalk					
X Water	1.61	1.34	95000	51	104,526
X Sewer					
X Electric					
X Gas	2500.00	1.00	1.0	99	2,475
X Curb					
X Street Lights					
Standard Utilities					
Underground Utils.					
Total Estimated Land Improvements True Cash Value = 107,001					

Work Description for Permit 2014-000003, Issued 01/30/2014: ADD 965 SQ FT & ALTER INTO VEHICLE SALES & SERVICE



Topography of Site
X Level
Rolling
Low
X High
Landscaped
Swamp
Wooded
Pond
Waterfront
Ravine
Wetland
Flood Plain

Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
2015	230,000	891,247	1,121,247			900,801C
2014	200,000	147,246	347,246			347,246S
2013	200,000	157,250	357,250			357,250S
2012	200,000	170,280	370,280			364,346C

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Licensed To: City of Escanaba, County of Delta, Michigan

*** Information herein deemed reliable but not guaranteed***

Desc. of Bldg/Section: FORD DEALERSHIP Calculator Occupancy: Auto Dealership - Complete		<<<<< Calculator Cost Computations >>>>>					
		Class: C		Quality: Good		Percent Adj: +0	
Class: C Floor Area: 20,305 Gross Bldg Area: 20,305 Stories Above Grd: 1 Average Sty Hght : 16 Bsmnt Wall Hght		Construction Cost			Base Rate for Upper Floors = 85.20		
		High	Above Ave.	X			
Depr. Table : 2.25% Effective Age : 4 Physical %Good: 91 Func. %Good : 100 Economic %Good: 100		** ** Calculator Cost Data ** ** Quality: Good Adj: %+0 \$/SqFt:0.00 Heat#1: Package Heating & Cooling 100 Heat#2: Package Heating & Cooling 0% Ave. SqFt/Story: 20305 Ave. Perimeter: 580 Has Elevators:			(10) Heating system: Package Heating & Cooling Cost/SqFt: 0.00 100% Adjusted Square Foot Cost for Upper Floors = 85.20 1 Stories Number of Stories Multiplier: 1.000 Average Height per Story: 16 Height per Story Multiplier: 1.040 Ave. Floor Area: 20,305 Perimeter: 580 Perim. Multiplier: 0.944 Refined Square Foot Cost for Upper Floors: 83.65 County Multiplier: 1.34, Final Square Foot Cost for Upper Floors = 112.086 Total Floor Area: 20,305 Base Cost New of Upper Floors = 2,275,898 Reproduction/Replacement Cost = 2,275,898 Eff. Age: 4 Phy. %Good/Abnr. Phy./Func./Econ./Overall %Good: 91 /100/100/100/91.0 Total Depreciated Cost = 2,071,067		
1963 Year Built 2014 Remodeled		*** Basement Info *** Area: Perimeter: Type: Storage (No Rates) Heat: No Heating or Cooling					
18 Overall Bldg Height		* Mezzanine Info * Area #1: Type #1: Office Area #2: Type #2: Office					
Comments: REMODELED FROM BOWLING ALLEY TO AUTO DEALERSHIP IN 2014. PORTION OF THE BUILDING WAS REMOVED AS A PART OF THE PROJECT.		* Sprinkler Info * Area: Type: Good					
(1) Excavation/Site Prep: X Site Prep		(7) Interior: X Frame, Auto Dealerships, Complete			(11) Electric and Lighting: X Typical, Auto Dealerships, Compl		(39) Miscellaneous:
(2) Foundation: Footings Poured Conc Brick/Stone X Block X Class C, Bearing Walls		(8) Plumbing: Many Above Ave. X Average Typical Few None Total Fixtures 3-Piece Baths Urinals 2-Piece Baths Wash Bcwl Shower Stalls Water Heaters Toilets Wash Fountains Water Softeners			Outlets: Fixtures: X Few Average X Few Average Many Unfinished Many Unfinished Typical Typical		(40) Exterior Wall: Thickness Bsmnt Insul.
(3) Frame: X Bearing Walls, Masonry supports on		X Typical, Automotive Center			Flex Conduit Rigid Conduit X Incandescent Armored Cable Fluorescent Non-Metallic Mercury Bus Duct Sodium Vapor Transformer		
(4) Floor Structure: X Concrete, On Ground		(9) Sprinklers:			(13) Roof Structure: Slope=0 X Metal Dome and Cover		X Block, Grouted, 10-12" X Glass Panels X Add for Insulation, Vinyl Faced
(5) Floor Cover: X Hardener and Sealer, Concrete X Tile, Custom Tile X Carpet and Pad		(10) Heating and Cooling: X Gas Oil Coal Stoker Hand Fired Boiler			(14) Roof Cover:		
(6) Ceiling: X Acoustical Ceilings, Mineral/Fiber X Acoustical Ceilings, Suspension Sy		X Zoned A.C., Warm and Cooled Air X Space Heaters, Gas, with Fan					

*** Information herein deemed reliable but not guaranteed***

SKETCH/AREA TABLE ADDENDUM

Parcel No 051-420-2825-400-005

File No 2625LUDS

Property Address 2625 LUDINGTON STREET

City ESCANABA

County Delta

State MI

Zip 49829

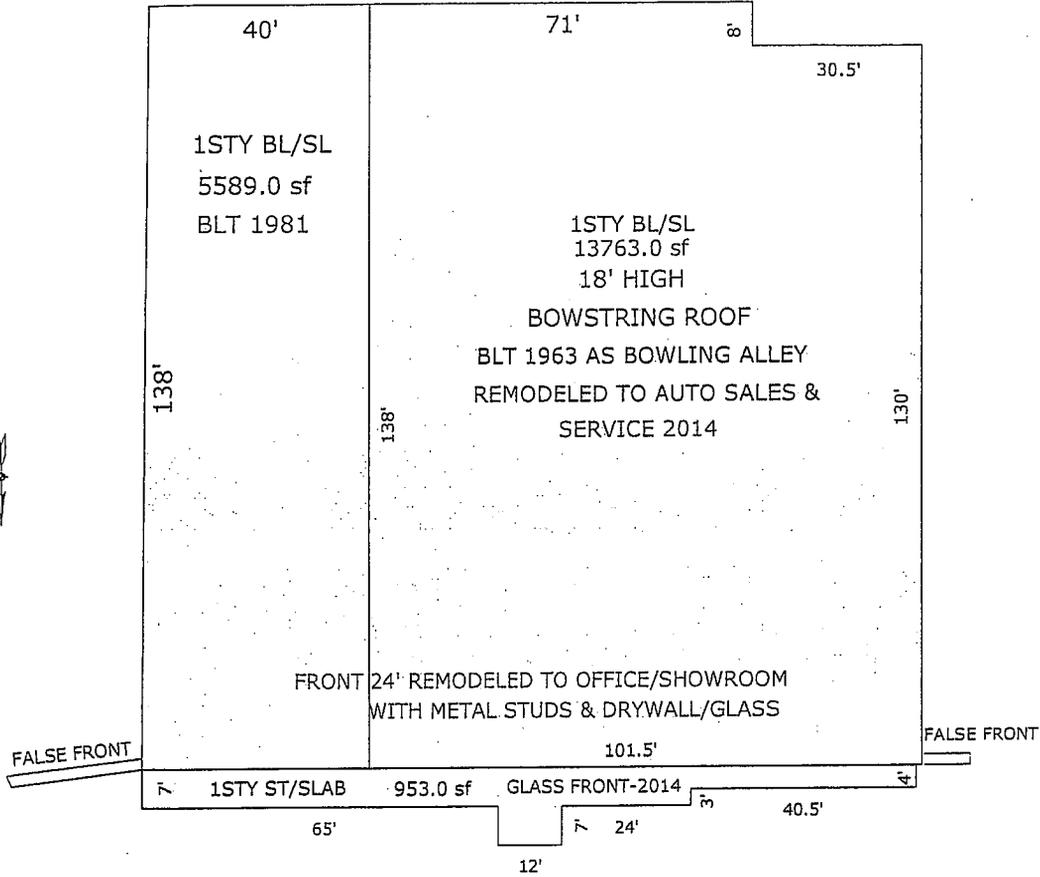
Owner DAGENAIS ROBERT & JEANINE

Appraiser Name KEVIN DUBORD

Drawn Date 1-16-15

Modified By

1ST AVENUE SOUTH



2625 LUDINGTON STREET

Scale: 1" = 35'

AREA CALCULATIONS SUMMARY

Code	Description	Factor	Net Size	Perimeter	Net Totals
GBA1	1STY ST/SLAB	1.00	953.00	311.0	953.00
GBA25	1STY BL/SL	1.00	5589.00	357.0	
	1STY BL/SL	1.00	13763.00	479.0	19352.00

Comment Table 1

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Comment Table 2

Comment Table 3

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Net BUILDING Area

(rounded w/ factors)

20305

MEMORANDUM

August 9, 2016

NB# 4
DC 8/18/16

TO: James V. O'Toole, City Manager
Escanaba City Council

FROM: Kim Peterson, Recreation Director *WP*

SUBJECT: Request Approval
Civic Center Gym – Glass Backboards

The Recreation Department would like to replace the wooden backboards located in the Civic Center gym with glass backboards. An account was set up in 2009/2010 for donations. There are enough funds to pay for the entire project which would consist of three glass backboards installed.

The glass backboards can be ordered, however, the skill lies in installing them. Jeff's Glass and Windows will provide the glass backboards and installation for \$5,832.80.

A quote from BSN Sports in Manistique can provide the glass backboards at a cost of \$5,381.95 not installed. There was not another company that could provide a quote for such work.

I am seeking City Council approval to hire Jeff's Glass and Windows for installation of three backboards. Since the summer months are closed for students, the timing would begin immediately for completion of all work by September.

This expenditure was not incorporated into the 2016-17 Budget, as I was not sure the fund had enough money to cover this cost and was not sure when the project could be completed with all the activity that takes place in the gym.

This project will not cost the City any funds.

Please let me know if you need additional information.

ATTACHMENTS

Jeff's Glass & Windows, INC

July 7, 2016

**Escanaba Civic Center
Attn: Brooke**

Estimate to replace (3) 72 x 48 ½" Clear Tempered Glass with (20) ½" polished holes for basketball backboards.

TOTAL JOB INSTALLED \$ 5,832.80



Thank you,
Jeff Heiden

Jeff Heiden * PO Box 811 * Escanaba MI 49829

906.786.5151 Office * 906.786.0800 Fax * 906.399.1768 Cell

jeffsglass@charter.net

www.jeffsglassandwindow.com



DALLAS, TX 75209
 Tel: 1-800-527-7510 Fax: 1-800-899-0149
 Visit us at www.bsnsports.com

Quote	
Quote #:	20725083
Purchase Order #:	Cheryl - backboards
Cart Name:	
Quote Date:	06/19/2015
Quote Valid-to:	07/31/2015
Payment Terms:	NT30
Ship Via:	
Ordered By:	Cheryl Syers

Contact Your Rep
 Todd Johnson Email: tjohnson@bsnsports.com | Phone: 1

Sold to
 1535141
 CITY OF ESCANABA
 REC DEPT
 225 N 21ST STREET
 ESCANABA MI 49829

Ship To
 1535141
 CITY OF ESCANABA
 REC DEPT
 225 N 21ST STREET
 ESCANABA MI 49829

Payer
 1535141
 CITY OF ESCANABA
 REC DEPT
 225 N 21ST STREET
 ESCANABA MI 49829

Item Description	Qty	Unit Price	Total
GARED ARG CONV GLASS BACKBOARD Item # - 1237436	1 EA	\$ 1,011.99	\$ 1,011.99
Conversion Glass Backboard 42" X 72" Item # - 5155XXXX	1 EA	\$ 1,011.99	\$ 1,011.99
Conversion Glass Backboard 48" X 72" Item # - 5154XXXX	1 EA	\$ 1,379.99	\$ 1,379.99
Side Court Conv. Glass Backboard Item # - 407444XX	1 EA	\$ 1,195.99	\$ 1,195.99
PORTER CONVERSION LIMITED SHORT GLASS 1383914 Item # - K72678	1 EA	\$ 781.99	\$ 781.99

Subtotal:	\$5,381.95
Other:	\$0.00
Freight:	\$0.00
Sales Tax:	\$0.00
Order Total:	\$5,381.95
Payment/Credit Applied:	\$0.00
Order Total:	\$5,381.95

Not installed

NB#5
cc 8/18/16

MEMORANDUM

July 28, 2016

TO: James V. O'Toole, City Manager
Robert Richards, City Clerk

FROM: Kim Peterson, Recreation Director *KP*

SUBJECT: City Council Approval – Resurfacing Bids
Rose Park Tennis Court and Stephenson Park Basketball Court

**AWARD OF BID FOR ROSE PARK TENNIS COURT AND STEPHENSON
PARK BASKETBALL COURT**

Proposals were received on July 13, 2016, to provide all labor and materials, filling, resurfacing and related work for one tennis court at Rose Park and one basketball court at Stephenson Park. Seven (7) invitations to submit proposals were sent to contractors with two (2) received. It is recommended this resurfacing project be awarded to Tennis Courts Unlimited, Inc. in the amount of \$10,500.

CITY OF ESCANABA

2016-2017 General Fund Budget Request Workpaper

Fund Number 101 Activity Number 703
 REQUEST FOR SUMMER SPORTS

	Actual 2013-14	Actual 2014-15	Estimate 2015-16	Budget 2015-16	Request 2016-17	Recommended 2016-17	Final 2016-17	\$ Change Col. 7-Col. 4	% Change Col. 7-Col. 4
932	644	317	700	500	1,000	800	800	300	60.00%
				4,000	4,000	4,000	4,000	0	0.00%
943	15,439	17,915	17,000	14,000	14,000	14,000	14,000	0	0.00%
958	0	0	0	0	0	0	0	0	0.00%
960	0	0	0	100	400	400	400	300	300.00%
					10,000	10,000	10,000	10,000	NEW
					20,000	10,000	0	0	NEW
					4,500	4,500	4,500	4,500	NEW
					0	0	10,000	10,000	NEW
976	0	21,992	9,700	12,000	0	0	0	(12,000)	-100.00%
				12,000	34,500	24,500	24,500	12,500	104.17%
				0	0	0	0	0	0.00%
977	0	360	0	0	0	0	0	0	0.00%
979	0	0	0	0	0	0	0	0	0.00%
TOTAL ACTIVITY REQUEST	99,707	137,727	126,700	148,089	177,106	166,906	166,906	18,817	12.71%

BIDDERS WORKSHEET A

Rose Park															
<p><i>Comment:</i></p> <p style="text-align: center;">Power Washing, Patching, and Crack Filling is included in total price.</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Power Washing</td> <td style="width: 20%;">\$ _____</td> </tr> <tr> <td>Patching</td> <td>\$ _____</td> </tr> <tr> <td>Crack Filing</td> <td>\$ _____</td> </tr> <tr> <td>Resurfacing (circle one)</td> <td></td> </tr> <tr> <td>1 Coat <u>2 Coats</u></td> <td>\$ _____</td> </tr> <tr> <td>Color Coating Including 2 Coats + Striping</td> <td>\$ _____</td> </tr> <tr> <td>TOTAL</td> <td>\$ <u>5,000⁰⁰</u></td> </tr> </table>	Power Washing	\$ _____	Patching	\$ _____	Crack Filing	\$ _____	Resurfacing (circle one)		1 Coat <u>2 Coats</u>	\$ _____	Color Coating Including 2 Coats + Striping	\$ _____	TOTAL	\$ <u>5,000⁰⁰</u>
Power Washing	\$ _____														
Patching	\$ _____														
Crack Filing	\$ _____														
Resurfacing (circle one)															
1 Coat <u>2 Coats</u>	\$ _____														
Color Coating Including 2 Coats + Striping	\$ _____														
TOTAL	\$ <u>5,000⁰⁰</u>														
Stephenson Park															
<p><i>Comment:</i></p> <p style="text-align: center;">Power Washing, Patching, and Crack Filling is included in total price.</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Power Washing</td> <td style="width: 20%;">\$ _____</td> </tr> <tr> <td>Patching</td> <td>\$ _____</td> </tr> <tr> <td>Crack Filing</td> <td>\$ _____</td> </tr> <tr> <td>Resurfacing (circle one)</td> <td></td> </tr> <tr> <td>1 Coat <u>2 Coats</u></td> <td>\$ _____</td> </tr> <tr> <td>Color Coating Including 2 Coats + Striping</td> <td>\$ _____</td> </tr> <tr> <td>TOTAL</td> <td>\$ <u>5,500⁰⁰</u></td> </tr> </table>	Power Washing	\$ _____	Patching	\$ _____	Crack Filing	\$ _____	Resurfacing (circle one)		1 Coat <u>2 Coats</u>	\$ _____	Color Coating Including 2 Coats + Striping	\$ _____	TOTAL	\$ <u>5,500⁰⁰</u>
Power Washing	\$ _____														
Patching	\$ _____														
Crack Filing	\$ _____														
Resurfacing (circle one)															
1 Coat <u>2 Coats</u>	\$ _____														
Color Coating Including 2 Coats + Striping	\$ _____														
TOTAL	\$ <u>5,500⁰⁰</u>														

BIDDERS PROPOSAL

Date 7-11-16

City of Escanaba
Escanaba, MI 49829

Sir or Madam:

We, the undersigned, do hereby agree to furnish materials and labor in conformance with the attached Specifications for the Court Resurfacing in the following amounts:

Rose Park – Tennis Court \$ 5,000⁰⁰

Stephenson Park – Basketball \$ 5,500⁰⁰

Certified Check or Bidder Bond Enclosed in the amount of \$ 1070

Project Start Date: 8-16

Project Completion Date: 9-16

Project References Enclosed: Yes No

Materials/Color System to be used: LAYKOLD
(Name of System/Supplier)

Material Data Sheets Enclosed: Yes No

Material Environmentally Friendly Sheets Enclosed: Yes No

FIRM'S NAME TENNIS COURTS UNLIMITED INC.

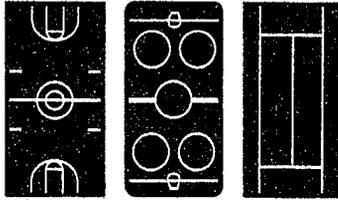
FIRM'S ADDRESS PO Box 156

CITY WATERVILLE STATE MI ZIP 49098

BY CRIG A. THURMAN TITLE: V.P.

FIRM REPRESENTATIVE SIGNATURE [Signature]

PHONE: 269-463-7103 FAX: 815-331-5199 E-MAIL: tenniscourtsunlimited@gmail.com



**Tennis Courts
Unlimited**
www.courtsurface.com

Project References:

Kalamazoo College	Mark Riley	269-337-7079	mriley@kzoo.edu
Court One Athletic Clubs	Tom Walker	269-598-8767	twalker136@gmail.com
South Shore Racquet Club	Greg Miller	269-429-2101	

If more references are needed please let me know. You can also take a look at our website @ www.tenniscourtsunlimited.com.

Thank you,

Craig Thurman

Tennis Courts Unlimited Inc.

DATE: Friday, June 17, 2016
BID: Court Resurfacing Project
BID OPENING: Wednesday, July 13, 2016
TO BIDDERS: Friday, June 17, 2016
ADVERTISED: Friday, June 17, 2016
INVITATIONS TO BID SENT TO: Seven (7)

ASPHALT DOCTOR QUALITY
SEAL COATING
P.O. Box 1021
Escanaba, MI 49829
Attn: Rio

PAYNE AND DOLAN
8287 N 3rd Lane
Gladstone, MI 49837

FAHRNER ASPHALT SEALERS INC
2800 Mecca Drive
P.O. Box 95
Plover, WI 54467-0095

AMERICAN SYSTEMS CORPORATION
P.O. Box 373
Suamico, WI 54173

ARNT ASPHALT SEALING
1805 Ludington Street
Escanaba, MI 49829
Attn: Phil Arnt

VALLEY SEAL COATS
W6265 Contractor Drive
Appleton, WI 54914
Attn: Bill Kramer

TENNIS COURTS UNLIMITED
P.O. Box 156
Watervliet, MI 49098

NOTICE TO BIDDERS

Sealed bids will be received by the City of Escanaba at the office of the City Clerk, on or before 2:00 p.m., e.s.t., on: **Wednesday, July 13, 2016** for:

COURT RESURFACING PROJECT

The bids will be publicly opened and read in Room 102 at City Hall, located at 410 Ludington Street, Escanaba, Michigan at said time and date.

Bidder's proposals and/or specifications may be obtained from the office on the City Clerk, located at 410 Ludington Street, Escanaba, Michigan 49829. No bids will be considered unless the proposal form and/or specifications (furnished by the City of Escanaba, Michigan), are properly completed and enclosed in a sealed envelope marked:

COURT RESURFACING PROJECT – Rose Park and Stephenson Park

In addition, the City of Escanaba, Michigan, will not consider any proposal which has not been received prior to the published time, date, and year of bid opening. (FAX transmittals will not be accepted.)

A Certified Check, Cashier's Check, or Bidder's Bond, drawn payable, without condition, to the City of Escanaba, Michigan, in an amount not less than 10% of the bid, will be submitted with each proposal as a guarantee that if the bid is accepted, the bidder will furnish materials or services as stated in his or her proposal, he or she shall forfeit said deposit to the City of Escanaba, Michigan, as liquidated damages. The acceptance of the proposal will be contingent upon the bidder's acceptance.

The City of Escanaba, Michigan, reserves the right to reject any or all bids, or any part thereof at its discretion, and to waive any irregularities in the bidding. The City of Escanaba, Michigan, may also split bids at its discretion. The City further reserves the right to negotiate directly with any and all bidders concerning any matter related to any bid.

All City of Escanaba, Michigan, bids are prepared so as to afford all vendors the equal opportunity for fair and equitable competition. The City of Escanaba, Michigan, assumes no liability or responsibility for any errors or oversights in the preparation and/or publication of bids.

Kim Peterson
Recreation Director
City of Escanaba

SPECIFICATIONS
for
COURT RESURFACING PROJECT
ROSE PARK AND STEPHENSON PARK - 2016

GENERAL SPECIFICATIONS

1. SCOPE OF WORK

Provide all labor and materials for sealing, filling, re-surfacing and related work for the Courts at Rose Park (tennis) and Stephenson Park (basketball).

2. CONSTRUCTION SCHEDULE

- A. Rose Park – Tennis – one existing tennis court
- B. Stephenson Park – Basketball – one existing basketball court

3. BID SECURITY

With this proposal, the Bidder shall furnish bid security in an amount not less than ten percent (10%) of the proposal as a guarantee that if the bid is accepted, the Bidder will furnish materials or services as stated in his/her proposal; as per specifications herein. Bid security shall be a certified check or cashier's check drawn payable without condition to the City of Escanaba, Michigan. Bids may not be withdrawn within thirty (30) days after opening date without forfeiting bid security. Bid security of the successful Bidder will be retained by the City until satisfactory completion of the work.

Performance and payment bonds are not required.

4. EXAMINATION OF SITES AND BID DOCUMENTS

Each Bidder shall visit the site and acquaint himself/herself with conditions relating to the work so that bidder may fully understand the difficulties and restrictions which may affect execution of work.

Bidders shall also thoroughly examine the specifications. The submission of a proposal by the Bidder shall be taken as conclusive evidence of compliance with this requirement.

5. QUALIFICATION OF BIDDERS

Bidder shall submit evidence to the City of having a minimum of five years experience in applications of type of coating system specified and shall submit a list of a minimum of five (5) references of projects.

Reference projects and project dates are to be submitted with the Bidder's Proposal.

6. INSURANCE

The Contractor shall furnish proof of insurance, before the start of work, establishing minimum coverages as follows:

Worker's Compensation

Coverage A	Statutory
Coverage B	\$100,000

Comprehensive General Liability

Per occurrence	\$1,000,000
General Aggregate	\$1,000,000
Products/completed operations	
General Aggregate	\$1,000,000

Comprehensive Automobile Liability

Combined Single Limits	\$1,000,000
------------------------	-------------

The City of Escanaba shall be named as "additional insured" on all certificates. All policies affording coverages required in this section shall further be endorsed to provide a ten (10) day notice to be delivered to the City before any coverages are either reduced or cancelled.

7. PAYMENTS

Payments shall be made to the successful Bidder/Contractor in one lump sum amount upon 100% completion of the work. The City will retain the bid security deposit until the work is satisfactorily completed. The City reserves the right to withhold an equitable amount for items not completed or unsatisfactory. The successful bidder shall submit waivers of lien from his/her company, sub-contractor, and all materials suppliers.

8. TAXES

The successful Bidder/Contractor shall pay all applicable state sales and use taxes if applicable for this project.

9. PROTECTION

The successful Bidder/Contractor shall take adequate precautions to prevent existing walks, drives, lawns or landscaped areas and buildings from being damaged. Any damages shall be corrected at the Contractor's expense to the City's satisfaction.

10. GUARANTEE

The successful Bidder/Contractor shall guarantee material and labor for a period of one year from the date of completion of work.

11. SAFETY REGULATIONS

The successful Bidder/Contractor shall conform to the General Safety Rules and Regulations for the Construction Industry as prescribed by the Construction Safety Commission, Department of Labor, Bureau of Safety and Regulations, Lansing, Michigan and the Occupational Safety and Health Standards of the U.S. Department of Labor.

12. DISCREPANCIES

In case of disagreement within the specifications, the better quality or greater quantity of work shall be estimated and the matter drawn to the attention of the City for discussion and/or adjustment.

13. PROJECT COORDINATOR

Kim Peterson
Recreation Director
City of Escanaba
Office: 225 North 21st Street (Civic Center)
Mailing Address: P.O. Box 948, Escanaba, MI 49829
Phone: (906) 786-4141
Fax: (906) 789-3798
e-mail: recreation@escanaba.org

SITE WORK SPECIFICATIONS

All work in this division of the specifications consists of providing resurfacing to existing exterior courts.

1. SCHEDULE

A. ROSE PARK AND STEPHENSON PARK

LOCATION/DIMENSION/ EXISTING SURFACE:	Rose Park – Intersection of Stephenson Avenue and Washington Avenue Dimension – 120' long x 56' wide overall Bituminous previously color coated and finished
	Stephenson Park – North 19 th Street and 15 th Avenue North Dimension – 103' long x 70' wide overall Bituminous previously color coated and resurfaced

WORK: Power wash, crack filling, and patching on one tennis court and one basketball court for acrylic resurfacer, two (2) coats acrylic color and game lines on one tennis court and one basketball court

2. COLOR SYSTEM/MATERIALS AND SUPPLIES

A. Suppliers

Acceptable supplier(s) of the coating materials is listed below. Equal or better alternatives will be allowed.

- (1) Latex-ite Recreational Surfacing Systems by Surfacing Coatings Company, Auburn Hills, MI 48057; or Dura Court by Fahrner Asphalt Sealers, Inc., Plover, WI;
- (2) The successful Bidder/Contractor shall submit material data sheets to verify that the materials used comply with all requirements of the specifications;
- (3) The material shall be delivered to the project site in its original unopened containers clearly labeled with trade name and name of manufacturer;
- (4) Color shall be dark green for court areas.
- (5) Resurfacing material must be environmentally friendly.

3. APPLICATION

A. Cleaning

Clean entire surface area of dirt, foreign material, and any loose or peeled coating. Cleaning will be done by blowing and sweeping. Power washing may be required if courts are silt embedded or coating is peeling. Allow proper time to dry on courts that are power washed.

B. Patching and Crack Filling

Patching is required where existing surface is loose or peeled. Cracks over 1/2 inch will be leveled with acrylic patch binder. Cracks under 1/2 inch will be leveled with approved crack filler.

C. Re-Surfacers

Apply two (2) coats

- Between coats, scrape minor imperfections and blow surface clean to insure smooth clean surface.
- Where existing finish appears to be suitable provide one (1) coat of re-surfacer, and please indicate on bid sheet.

D. Color Coating

(1) Court:

- Apply two (2) coats of colored finishing coating on courts specified at Rose Park and Stephenson Park.
- Clean silica sand shall be added to the first coat to provide a *slow* speed of play and prevent player slipping; and
- One color required – dark green for tennis court and basketball court.

(2) All coating shall be applied only when ambient temperature is at least 55 degrees F and rain is not imminent. Court surfaces shall be dry before application.

E. Play Lines

For lining of courts, a minimum of four (4) hours shall be allowed for the curing of the color finish system before application. Two inch wide white playing lines shall be accurately located, marked and painted as specified by U.S. Tennis Association for tennis courts and Michigan High School Athletic Association for basketball courts.

F. Clean Up

Upon completion of work, clean all surfaces and remove all materials and debris from the site.

4. PROJECT COMPLETION

The successful awarded Contractor may commence work between August 1, 2016, and September 16, 2016, within the specifications satisfied.

BIDDERS WORKSHEET A

Rose Park	
<i>Comment:</i>	Power Washing \$ _____
	Patching \$ _____
	Crack Filing \$ _____
	Resurfacing (circle one) 1 Coat 2 Coats \$ _____
	Color Coating Including 2 Coats + Striping \$ _____
	TOTAL \$ _____
Stephenson Park	
<i>Comment:</i>	Power Washing \$ _____
	Patching \$ _____
	Crack Filing \$ _____
	Resurfacing (circle one) 1 Coat 2 Coats \$ _____
	Color Coating Including 2 Coats + Striping \$ _____
	TOTAL \$ _____

BIDDERS PROPOSAL

Date _____

City of Escanaba
Escanaba, MI 49829

Sir or Madam:

We, the undersigned, do hereby agree to furnish materials and labor in conformance with the attached Specifications for the Court Resurfacing in the following amounts:

Rose Park – Tennis Court \$ _____

Stephenson Park – Basketball \$ _____

Certified Check or Bidder Bond
Enclosed in the amount of \$ _____

Project Start Date: _____

Project Completion Date: _____

Project References Enclosed: Yes No

Materials/Color System to be used: _____
(Name of System/Supplier)

Material Data Sheets Enclosed: Yes No

Material Environmentally Friendly
Sheets Enclosed: Yes No

FIRM'S NAME _____

FIRM'S ADDRESS _____

CITY _____ STATE _____ ZIP _____

BY _____ TITLE: _____

FIRM REPRESENTATIVE SIGNATURE _____

PHONE: _____ FAX: _____ E-MAIL: _____

NB #6
CC 8/18/16

MEMORANDUM

August 11, 2016

TO: James V. O'Toole, City Manager
Escanaba City Council

FROM: Kim Peterson, Recreation Director *KP*

SUBJECT: Community Action Agency Lease Renewal
Catherine Bonifas Civic Center
September 1, 2016, to August 31, 2017

REQUEST FOR RENEWAL OF THE ANNUAL LEASE AGREEMENT BETWEEN THE CITY OF ESCANABA AND THE COMMUNITY ACTION AGENCY

Administration is seeking City Council approval of the annual lease agreement between the City of Escanaba and the Community Action Agency for their senior center activities. Space is leased at the Catherine Bonifas Civic Center.

The lease agreement will remain the same as the previous year.

On August 9, 2016, the Recreation Advisory Board recommended City Council approval of the proposed lease.

Please find attached for your review the proposed lease.

ATTACHMENT

**COMMUNITY ACTION AGENCY (CAA) LEASE
OF CATHERINE BONIFAS CIVIC CENTER
(September 1, 2016 through August 31, 2017)**

IT IS AGREED, between the CITY OF ESCANABA (City) and the DELTA-MENOMINEE-SCHOOLCRAFT COMMUNITY ACTION AGENCY (CAA), as follows:

The City, in consideration of fees, restrictions and covenants herein specified, does hereby lease to the CAA the following specified areas located in the Catherine Bonifas Civic Center, 225 North 21st Street, Escanaba, Michigan:

1. **ROOM ASSIGNMENTS, USES, AND CONDITIONS**

A. Room Number

- 101 Senior Citizens Center
May be utilized exclusively for Senior General Office activities.
 - 102 Senior Citizens Center – Client Service Room
May be utilized exclusively to carry out client services as related to Senior Center.
 - 103 Senior Citizens Center – Director’s Office
May be utilized exclusively by coordinator to carry out business related to the Senior Center.
 - 104 Senior Citizens Center – Computer Room
May be used for Senior Citizens activities.
 - 106 Senior Citizens Center – Activities Room
May be utilized for the purpose of promoting social, cultural and recreational activities for Senior Citizens. To be made available to Recreation Department if not used for Senior activities.
 - 114 May be utilized, upon request, for Senior activities. Subject to approval of Recreation Director.
 - 115 May be utilized, upon request, for Senior activities. Subject to approval of Recreation Director.
 - 119 Senior Center supplies/storage.
 - 121 May be utilized, upon request, for Senior activities. Subject to approval of Recreation Director.
- Game Room
May be utilized daily during morning and/or early afternoon hours for Senior Citizens recreational activities. May also be utilized for parties and special holiday occasions, subject to approval of Recreation Director.

Gymnasium

May be utilized for Senior Citizen Recreation activities, subject to approval of Recreation Director.

Kitchen Facilities

May be utilized for special occasions for Senior Citizens parties, dances, and social functions at the approval of the Recreation Director.

- B. Activities in the following rooms may be cancelled or postponed, with notice by the City, for its own use or use by another organization:

Room 114 (24 hour notice)
Room 115 (24 hour notice)
Game Room (24 hour notice)
Gymnasium (24 hour notice)
Room 121 (24 hour notice)
Main Room (24 hour notice)

- C. 1. CAA and/or Senior Citizens use of building facilities, other than the 1.A of this document, will be assigned if the space is available. The City retains the right to cancel reservations or refuse any request for space according to the Civic Center Reservation Policy.
2. CAA use of Civic Center facilities for purposes not associated with local Senior Citizen programs shall be subject to reservation fees as outlined in the Civic Center Reservation Policy.
3. Keys for exterior doors shall be limited to Senior Center Director and one assistant.
- D. All Senior Center activities may be conducted between the hours of 7:30 a.m. and 4:00 p.m., Monday through Friday. Weekend and evening senior activities are encouraged and may be scheduled with prior arrangements made with the Recreation Director.

2. JANITORIAL RESPONSIBILITIES

- A. The Community Action Agency will be responsible for the cleanliness of the following areas:

Room 101 – Kitchen
Room 102 – Client Service Room
Room 103 – Director's Office
Room 104 – Computer Room
Room 106 – Lounge/Activities Room
Room 119 – Supplies/Storage
Restrooms located on the west side of the building

Proper cleaning of all rooms occupied by Senior Citizens after the termination of any activities in the Game Room, Room 114, Room 115, Room 121, Main Room, Gymnasium and Kitchen Facilities. Periodic cleaning of west end hallway commencing from west entrance to Main Meeting Room. Periodic cleaning of trash cans. Periodic cleaning of the west end restrooms.

- B. CAA shall be responsible for the purchase of all janitorial supplies, with the exception of floor cleaning materials.
- C. CAA shall be responsible for shoveling and salting of all sidewalks, including the entrance, located on the west side of the building.
- D. The CAA shall provide a trash dumpster to dispose of all trash and perishable foods generated as a result of the CAA nutrition program and other Senior Center related activities. The size of the dumpster shall adequately accommodate trash from CAA activities. The dumpster shall have a lid and a lock and will be placed by the Recreation Director. Trash from the dumpster shall be disposed of once weekly.

3. **UTILITIES**

CAA shall remit a payment of Two Hundred Twenty-Five Dollars (\$225) payable to the City of Escanaba in payment for electrical use. Said payment shall be due and payable on the 15th of every month.

4. **SENIOR CITIZENS CENTER SUPERVISION**

All CAA – Senior Citizen activities will be under the jurisdiction of the Center Coordinator. Complaints and/or suggestions by Senior Citizens utilizing the facility shall be directed to the Center Coordinator. If the complaint or suggestion involves the City, the Center Coordinator or the Senior Citizen Program Director must contact the Recreation Director.

5. **ABANDONMENT**

The CAA must notify the Recreation Director thirty (30) days in advance if the CAA:

- A. Plans to discontinue use of any room included in this lease document as illustrated under #1; or
- B. Plans to change or alter the activity designated for each leased room as illustrated under #1.

Under no circumstances shall CAA/Senior Citizen Center rooms be altered in use and/or purpose without the knowledge and permission of the Recreation Director.

6. **LEASE TERM, RENTAL, AND REVIEW**

- A. The term of the lease agreement shall be one (1) year, commencing on September 1, 2016, and terminating on August 31, 2017.
- B. An annual fee of Nine Thousand One Hundred Forty-Eight Dollars (\$9,148) shall be due to the City in equal monthly payments.
- C. The City and CAA shall meet at least thirty (30) days prior to the expiration of this lease each year to review and/or modify terms of this agreement.

7. INDEMNITY

CAA agrees to indemnify and hold harmless the City, its officers, employees and representatives from any and all loss, expense, damage, demands, claims and liability, for any injury or alleged injury to persons (including sickness, disease, or death) and for damage or alleged damage to property including property of the City and/or loss of use thereof arising out of CAA's use of said premises and CAA further agrees to defend any suit or action brought against the City, its officers, employees or representatives based upon any such injury or damage and CAA agrees to pay all damages, costs and expenses including attorney's fees in connection with such suit or action resulting therefrom; provided, however, that CAA's aforesaid indemnity and hold harmless agreement shall not extend to any loss, expense, damage, demand, claim or liability finally determined to have been due to the sole negligence of the City, its officers, employees, or representatives that CAA's agreement is for the exclusive benefit of the City and shall in no event insure to the benefit of any third party; provided further, that the City shall have the right to defend any action brought against the City or to tender such defense to CAA.

8. INSURANCE

The Community Action Agency shall obtain and maintain in force an insurance policy or policies insuring against losses arising from claims or personal illness, injury, death and property damage liability in connection with CAA program activities in the Catherine Bonifas Civic Center in the minimum amount of One Million Dollars (\$1,000,000) Combined Single Limits. The policy or policies evidencing such insurance delivered to the City without delay, and renewals thereof shall be delivered by CAA to the City at least thirty (30) days prior to respective expiration dates. The City of Escanaba shall be named as an "additional insured" to all policies affecting this lease agreement. The lessee shall deliver evidence, insurance certificate, of said insurance prior to occupancy or renewal date.

IN WITNESS WHEREOF, the parties have executed this Lease at Escanaba, Michigan, on the _____ day of _____, 2016.

In the Presence of:

CITY OF ESCANABA, Lessor

By: _____
Marc D. Tall, Its Mayor

By: _____
Robert Richards, Its City Clerk

DELTA-MENOMINEE-SCHOOLCRAFT
COMMUNITY ACTION AGENCY,
Lessee

By: _____
Julie Moberg
Its: Deputy Executive Director

By: _____
Sally Kidd
Its: Program Director

MEMORANDUM

August 15th, 2016

TO: Jim O'Toole, City Manager

FROM: Robert Richards
Melissa Becotte MB

SUBJECT: Phone System

Over the past few months, we have been checking to new phone systems. We spoke with 2 vendors who could provide us with the type of system that will meet our needs.

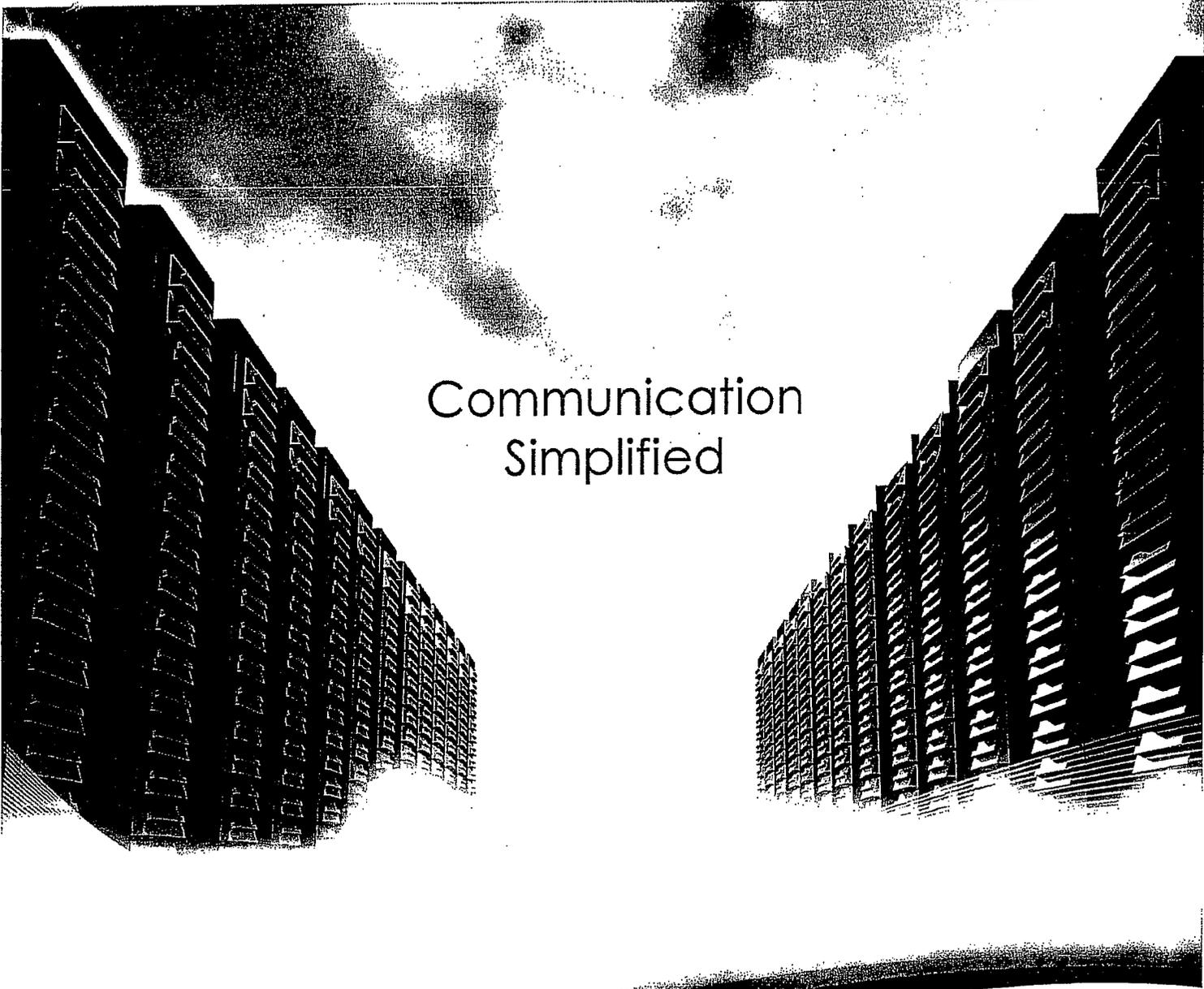
DSTech has proposed the Zultys system. This system will provide for new phones at every desk, an online dashboard where we can route calls, an auto-attendant and many other nice features that we don't currently have.

DSTech has proposed a cost neutral lease option for this new equipment which will include maintenance and subscription fees for the service. This works by getting rid of our Centrex line and the majority of the remaining AT&T and Charter lines and then paying that amount to DSTech. So, we get a new phone system for the same price we are paying now for phone services. At the end of the 5 year lease period, we can renew the lease or purchase the equipment at market value.

In addition to new phones and equipment, DSTech will change out all switches and run new line in the buildings that need it.

It is our recommendation that the Council approve the lease of the Zultys phone system from DSTech in an amount not greater than \$1,500 per month at the next regularly scheduled City Council meeting (Thursday, August 18th). DSTech will be at the meeting to answer any questions about the system.

Please contact me with any questions or concerns.



Communication
Simplified

Sophistication
SIMPLIFIED

Complexity
RESOLVED

Power
UNLEASHED

Communicate
COLLABORATE



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Sophistication SIMPLIFIED

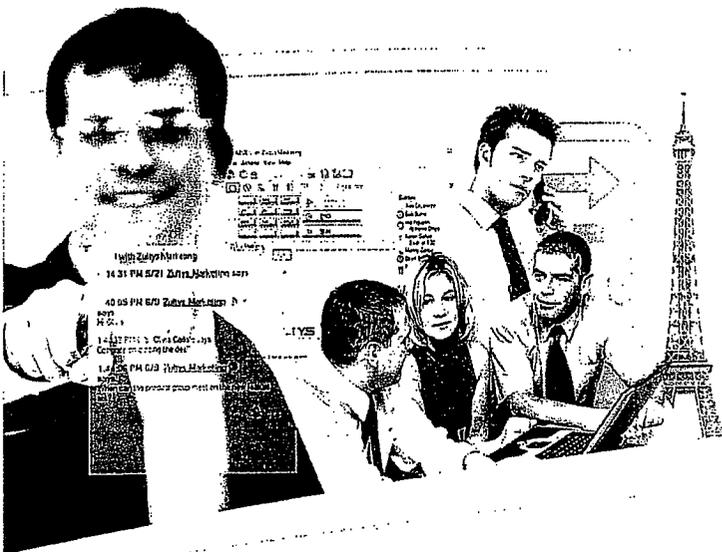


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True "All-in-One" IP Phone Systems and Unified Communications Solutions

Making VoIP Work For Your Business



OVERVIEW

The Zultys MX series of both cloud and premise based enterprise class IP phone systems combines best of breed Unified Communications (UC) features into an easily scalable "all-in-one" native SIP solution that can support up to 10,000 users across 128 locations. Based on secure Linux and open standard SIP (Session Initiation Protocol), Zultys packs its IP phone systems full of business enhancing features that provide a wide range of enterprise-class Unified Communications services, allowing companies to gain a competitive advantage and achieve a rapid return on investment

AVAILABLE FEATURES INCLUDE:

- Unified Communications client for Windows, Mac & Linux
- Complete Contact Center with Customized Reporting
- Visual voice mail
- Integrated Fax Server
- Presence & Instant Messaging
- Active Directory/LDAP support
- Unified Messaging
- Automated Attendant with Interactive Voice Response
- N+1 redundancy and cross-site failover
- Mobile Unified Communications client for iPhone & Android
- Seamless multi-site integration
- Centralized management
- Busy lamp field / Key system emulation
- Enterprise Session Border Controller (E-SBC)
- Historical archiving of call recordings, instant messages, voice mail, fax and call logs (CDR)
- All Zultys IP phones can support remote workers without requiring a VPN
- Find Me/Follow Me/Simultaneous Ring
- User friendly administration interface

Zultys Cloud Services

Flexible and Easy-to-Deploy Hosted IP Phone System

Zultys Cloud Services is a fully-hosted turnkey Unified Communications as a Service (UCaaS) solution. Your communication system is hosted in Zultys' state-of-the-art data centers that are fully redundant and supervised around the clock.

Zultys Cloud Services offers the exact same feature set as all the other MX Series IP Phone Systems, but with the added convenience of a hosted solution. There are no up front investments and you only pay for the services and features you need on a per-user basis. You can easily add users and functionality as your business expands.



Zultys provides and manages the backbone network

You can work anywhere and everywhere with the device of your choice

STANDARD PACKAGE:

- Operator group, Hunt group or ACD group
- Automated Attendant
- Paging Group
- Voice mail
- Call forwarding
- Call Attached Data
- Advanced Call Routing
- Voice mail to Email
- Zultys Mobile Communicator for iPhone/Android

PREMIUM PACKAGE:

- Operator group, Hunt group or ACD group
- Automated Attendant
- Paging Group
- Voice mail
- Call forwarding
- Call Attached Data
- Advanced Call Routing
- Voice mail to Email
- Zultys Mobile Communicator for iPhone/Android
- MXIE with MXvideo support
- Outlook Integration
- MXconference
- Fax

CONTACT CENTER PACKAGE:

- Operator group, Hunt group or ACD group
- Automated Attendant
- Paging Group
- Voice mail
- Call forwarding
- Call Attached Data
- Advanced Call Routing
- Voice mail to Email
- Zultys Mobile Communicator for iPhone/Android
- MXIE with MXvideo support
- Outlook Integration
- MXconference
- Fax
- Inbound Call Center
- Customizable reporting

Complexity RESOLVED

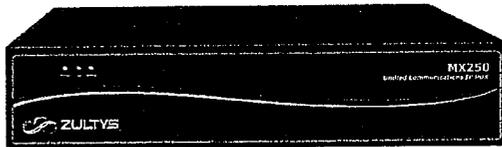


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Ready to Serve the Needs of Any Business All-In-One On-Premise or Cloud-Based Solution

Each easy to install and maintain Zultys IP phone system is a complete "all-in-one" feature-rich appliance ready to serve the needs of any business. Zultys IP phone systems can be deployed stand-alone or networked together to support up to 10,000 users across 128 locations. All software is pre-installed. Capacity and features are enabled by purchasing a license key. This allows companies to quickly deploy the services they need today, while allowing them to easily expand as their businesses grow – without needing more servers. All MX systems are based on open standards: SIP, Linux, TAPI, SQL, and CSTA.



MX250

- The MX250 supports up to 60 Trunks and 250 users per MX250 (SIP Trunks require no licenses or external gateways)
- 19" 2U self contained appliance
- 3 x Universal expansion slots for E1, T1, PRI ISDN, BRI ISDN, Analog FXO and Analog FXS interface cards
- SATA HDD or SSD with RAID-1 hard-disk mirroring and N+1 redundant configurations
- Efficient design enables easy scalability and maintenance while reducing energy consumption

MXvirtual

Zultys MXvirtual is a fully integrated unified communication solution and IP phone system that can be installed in a VMware® Ready virtual appliance. Innovative, reliable and scalable, MXvirtual integrates voice, video, data and mobility, to optimize collaboration and communications for businesses of all sizes.

MXvirtual allows businesses of all sizes to take advantage of the benefits of virtualization including enhanced server utilization, simplified deployment and reduced costs. The features of MXvirtual are identical to the premise-based MX phone systems.



MX-SE

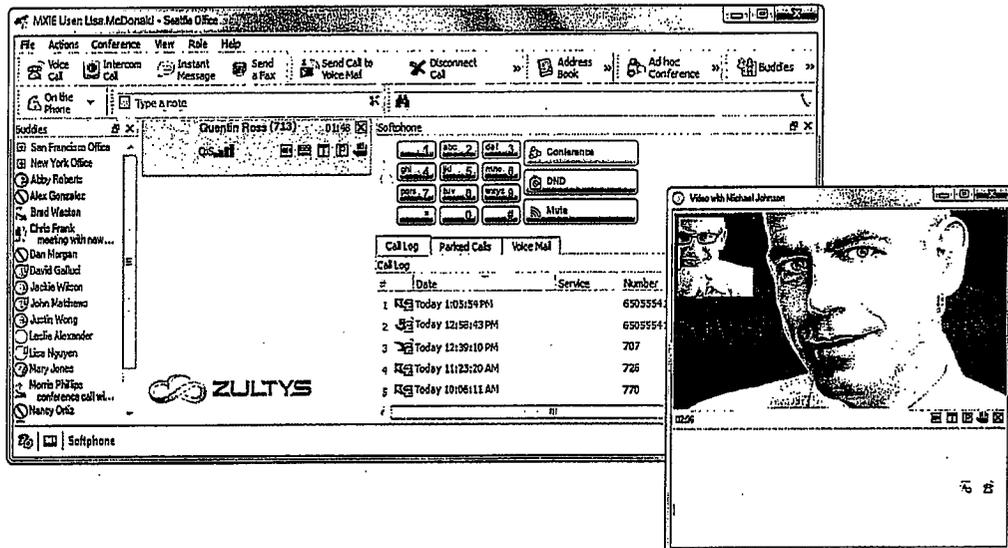
- The MX-SE supports up to 30 Trunks and 50 users (SIP Trunks require no licenses or external gateways)
- 16" x 8 1/2" x 1 3/4" (401mm x 210mm x 44mm)
- Single Universal expansion slots for E1, T1, PRI ISDN, and Analog FXO interface cards
- Connect directly to SIP based ITSP to reduce call costs
- 2x16 character LCD display with 4 navigational buttons

- The MXvirtual can support up to 1000 users and can be expanded with additional server capacity
- Comes ready to support SIP Trunks with no licenses or external gateways (PSTN, ISDN and Analog interfaces supported via gateways)
- Enterprises may deploy MXvirtual onto their own VMware infrastructure, either on-premise or using an off-site data center
- Provides a full suite of resiliency and failover capabilities to ensure business continuity

MXIE™

Unified Communications Client for Windows, Mac and Linux

The Media eXchange Interface for End Users' client (MXIE) is an intuitive, easy to use Presence and Communications tool. This "One Click to Contact" desktop application manages all of the functions in the MX platform. It lets people see the availability of anyone in the company — whether they are on a mobile phone or a desk phone — launch a high definition video call, an email, phone call, fax, IM, voice mail or a conference session with a simple mouse click.



AVAILABLE FEATURES INCLUDE:

- Intuitively control calls via mouse, keyboard, telephone or Softphone
- View presence indicator and notes of all users
- Collaborate via Instant Messages
- Customizable screen layout for enhanced productivity
- High Definition (HD) video calls between MXIE users with MXvideo™
- MS Exchange / Outlook integration
- Screen pops display incoming caller information
- Use Zultys Quick Contact to rapidly locate contacts in MS Outlook, MX system directory or local address book
- ScreenDial™ lets you call from any webpage, document or electronic record
- Record calls from any phone via MXIE
- Single log-in for Users, Operators and Contact Center Agents
- Create Call Handling Rules to manage call routing and simultaneous ringing
- Supported on Windows, Mac, Linux and thin clients
- Integration with Salesforce.com and other major CRM applications
- Tag calls with wrap-up codes, account codes or other customer information
- MXconnect™ lets you make any phone your business phone



Power UNLEASHED



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Integrated Contact Center Supercharge Your Contact Center

The Zultys Integrated Contact Center (ICC) intelligently processes incoming calls to a group of Supervisors & Agents based on administrator defined rules & real-time conditions. When there are more callers than available agents, ICC will either re-route callers or queue callers with customized in-queue messages and music that may be unique for each ICC group. Agents can be located anywhere in the world, allowing for true flexibility and around the clock coverage, without the need to relocate key talent.

SuperView																					
Marketing		Queued: 2		Wait: 2:29		Active: 1		Show only logged in agents													
Total Agents	Logged In	Available	Active Calls	Calls in queue	Longest wait	Ans calls	Abn calls	Overflow	Voice mail	Out calls	Max wait	Avg wait - All	Avg wait - Answered	Avg wait - Abandoned	TalkTime (Avg)	TalkTime (Total)	Callback requests	Callbacks completed			
8	4	1	1	2	2:30	10	20	8	8	4	3:23	0:48	0:54	1:20	1:20	25:14	0	0			
Agent	User Presence	Agent Status	Time	Call State	Dir	Call Acc	Call Out	Calls Total	Avg Tak	Total Tak	Total Hold	Call State	PH	Dir	Agent	Phone #	Items	Wait Time	TakTime	Hold	Total
ADy/A...	Available	Available	4:28			0	0	0	0:00	0:00	0:00	On Hold	In	Jillie One	0409456	Navy St...	0:08	1:00	0:53	2:47	
Nice One	Available	Active	2:00	On Hold	In	13	2	15	1:30	22:30	1:50	Queued	0			555				2:11	
Bob Tom	Available	Active	1:45	Ringing	In	3	2	5	0:45	3:44	2:51	Queued	0			0247394				2:20	
Carol Th...	At Lunch	Not Avail	45:10			0	0	0	0:00	0:00	0:00										
Ed So To...	Logged Out					0	0	0	0:00	0:00	0:00										
Sales		Queued: 0		Wait: 0:00		Active: 0															
Total Agents	Logged In	Available	Active Calls	Calls in queue	Longest wait	Ans calls	Abn calls	Overflow	Voice mail	Out calls	Max wait	Avg wait - All	Avg wait - Answered	Avg wait - Abandoned	TalkTime (Avg)	TalkTime (Total)	Callback requests	Callbacks completed			
8	1	0	0	0	0:00	2	8	2	2	0	3:23	0:00	1:10	1:03	0:56	1:50	0	0			
Accounting		Queued: 0		Wait: 0:00		Active: 0															

SYSTEM FEATURES:

- Support for up to 240 concurrent callers at each location
- Advanced Call Routing based on real-time ICC activity
- No additional hardware – one simple license for Agent or Supervisor
- Call Recording - full-time and on-demand
- Superview™: Real-time call monitoring & statistics for multiple ICC Groups in a single window
- Fully customizable Wallboard for real-time ICC group analysis
- Customizable music-on-hold & in-queue messages by ICC Group
- Position in queue & expected wait time announcements
- Caller Quit Queue options with Call Back Queuing
- Call Attached Data (CAD) for customizable Agent Scripts, wrap up/exit codes, and more
- Multiple Reporting options – CDR Reporting, MXreport™ CDR, and MXreport™ Contact Center Edition
- Fully integrated fax server option available

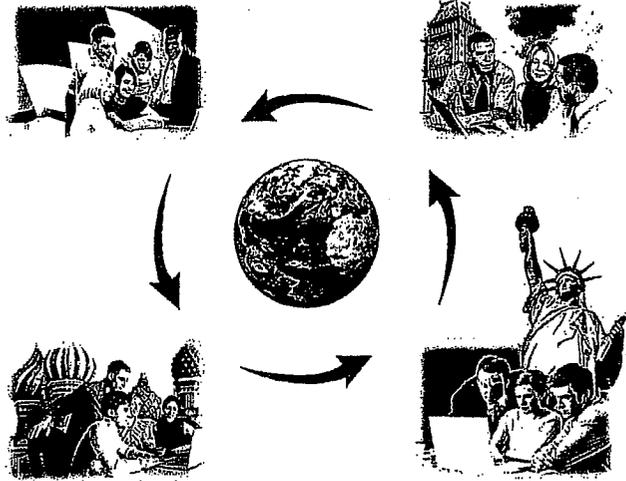
SUPERVISOR / AGENT FEATURES:

- Chat, Instant Message & Presence
- Supervisors may Silent Monitor, Barge in, & Whisper-thru to Agents
- Calls can be assigned to specific Agents
- Agents can be members of multiple ICC groups
- MXconnect™ allows Supervisors & Agents to work from any phone – home or office – no VPN required
- Call Notification pop up allowing Agents to stay focused on their primary application
- Agent login/logout - initiated by Supervisor or automatically by MX
- Shared ICC Group Voice Mail box with multiple outgoing greeting options, email notifications and escalation facilities.

MXnetwork™

Connect All Your Locations via an Integrated UC Solution

The MXnetwork feature allows multiple MX systems — both premise and cloud-based — to be interconnected over IP to form a single company-wide Unified Communications system. Each MXnetwork can support thousands of users at up to 128 locations and provides global presence, toll bypass site-to-site calls, secure communications and interactive collaboration across the entire network. Whether staff members are located in the same building or in another country they are able to communicate efficiently. MXnetwork allows multiple MX systems on your WAN to synchronize together (distributed architecture) and then work as if they are one system, offering robust survivability and high availability for the enterprise. Comprehensive redundancy and failover functionality ensures call processing and business operations continue in the event of an equipment, network or power outage.

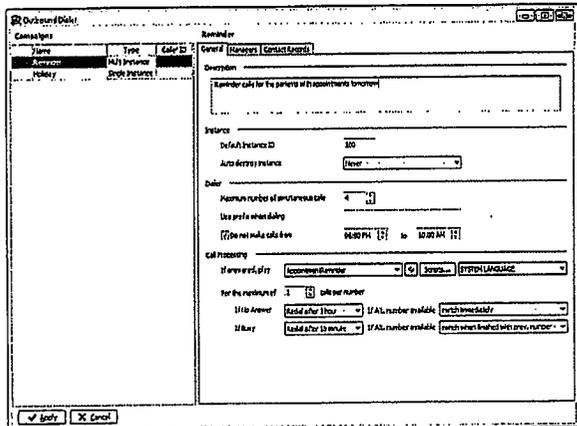


MXoutbound

Advanced outbound dialer solution

MXoutbound, a fully integrated outbound dialer solution, offers a flexible and easy-to-manage automated process for reaching out to an organization's customer base. MXoutbound is appropriate for virtually any application that requires automated outbound dialing. The call message may be as simple as a single recorded sentence, or an elaborate customer survey with a series of questions asked based on previous responses.

- Use pre-recorded prompt or text-to-speech conversion
- Include option to transfer to an operator or contact center agent
- Schedule calls at a specific time of day for a particular contact or make calls on-the-fly
- Monitor campaigns in real-time
- One MX system can simultaneously run multiple outbound call campaigns, each with a completely different call flow and set of messages
- Import Contact information manually or from a CRM application. Campaign results can be exported back into a CRM application



Communicate COLLABORATE

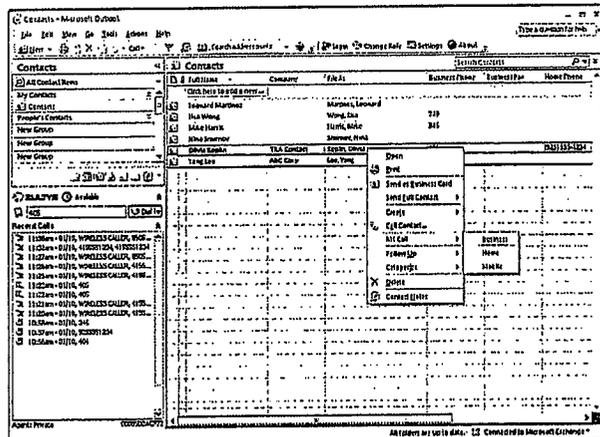


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Zultys Outlook Communicator™, Salesforce.com Communicator™ and Zultys Flex Communicator™ Powerful CRM and Application Integration

Zultys supports Computer Telephony Integration (CTI) with an expanding range of CRM suites and business applications via standards-based protocols. The Zultys Salesforce.com Communicator integrates the Zultys IP Phone System and the Salesforce.com CRM application suite for full call control from within Salesforce. The Zultys Outlook Communicator provides integration between the Zultys IP Phone System and Microsoft Outlook, while Zultys Flex Communicator simplifies integration with web-based and traditional CRM and line-of-business applications.

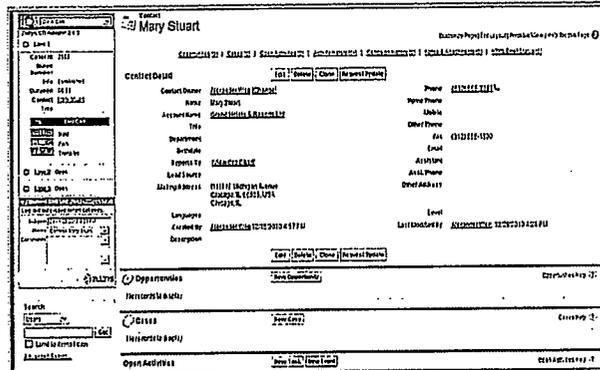


Zultys Outlook Communicator

- Click-to-call and full call control from within Outlook
- Presence synchronized with Outlook Calendar
- Screen pops for Outlook contacts
- Login to Operator and Call Group roles and select a role to make an outbound call from

Zultys Salesforce.com Communicator

- Screen pops, call notes, hold, transfer and click to call from inside the contact record on Salesforce.com
- Login to Operator and Call Group roles and select role to make an outbound call from



Zultys Flex Communicator

- Integrates with both web-based CRM applications and programs installed on the user's computer
- Generate Screen Pops for Caller Information on receipt of an incoming call

MXmeeting™ and MXconference™

Affordable Web & Audio Conferencing

The Zultys MXmeeting web/video conferencing platform and the Zultys MXconference private audio bridge provide everything you need to eliminate costly hosted conferencing systems and conduct your own fully integrated collaborative web, video and audio conference sessions. The feature-rich MXmeeting appliance plugs right into your network and allows up to 100 people to join a collaborative web or video conference without needing to install any software on their computers. It also provides remote desktop support and remote access. MXconference is a software feature that requires no additional hardware and is enabled by licensing.

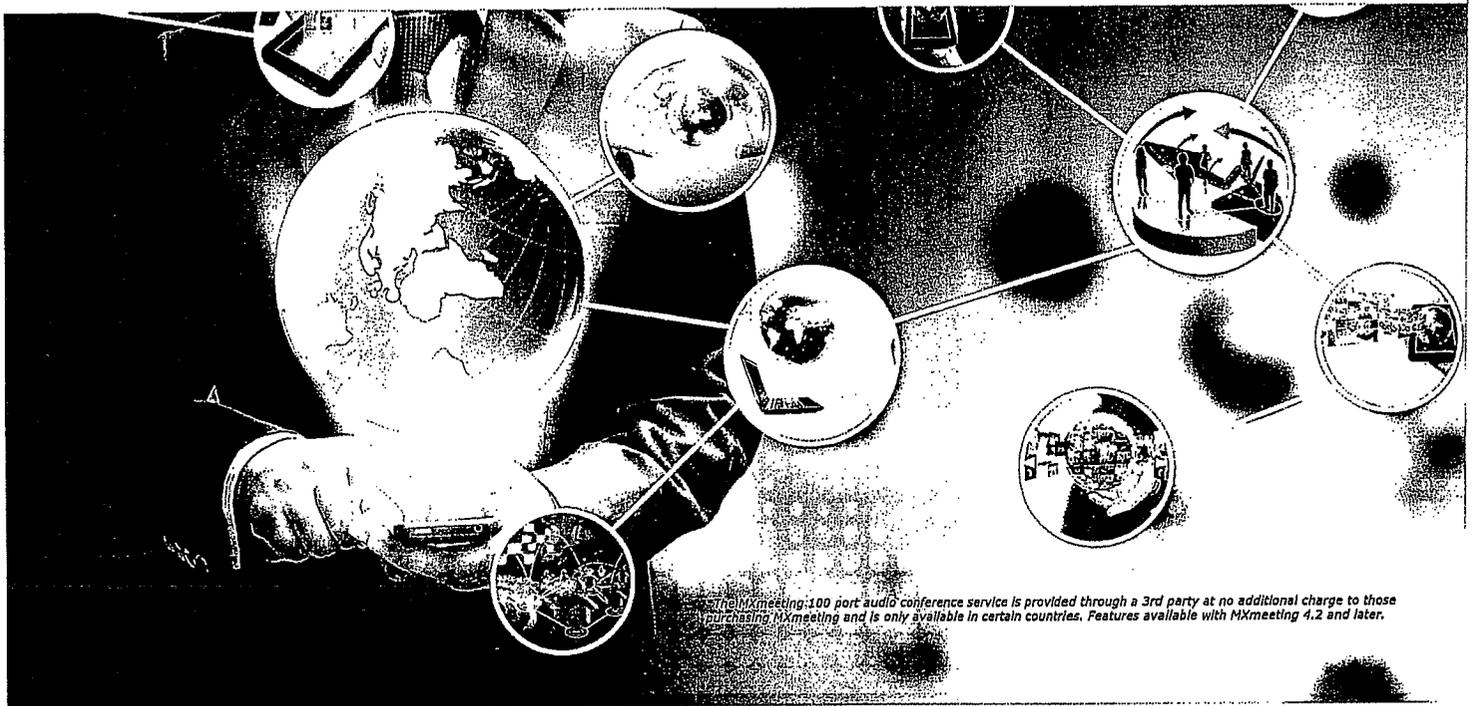


MXmeeting Web collaborative conferencing

- Up to 4 webcams can join in for live video interactive presentations*
- Provides remote support & access for PCs and Macs
- Integrated with MXIE and Outlook

MXconference is an integrated audio conference bridge for Zultys IP phone systems

- Requires no additional hardware
- Scale to hundreds of participants with MXvirtual. Up to 30 participants with MX250.



*The MXmeeting 100 port audio conference service is provided through a 3rd party at no additional charge to those purchasing MXmeeting and is only available in certain countries. Features available with MXmeeting 4.2 and later.

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ZIP-3 Series – Advanced SIP Standard Enterprise IP Phones



37G The ZIP 37G is targeted at the busy executive looking for a high end phone packed with features.

- Full duplex speakerphone
- Dual Gigabit Ethernet ports
- LDAP directory access
- 20 LCD labeled programmable soft keys
- 802.3af Power over Ethernet
- 480 x 272 pixel color display
- AC Adapter (optional)
- Electronic Hook Switch (EHS) support
- Busy Lamp Field (BLF)
- XML Browser



36G The ZIP 36G is a feature rich IP Phone that is perfect for both regular and heavy phone users.

- Full duplex speakerphone
- Dual Gigabit Ethernet ports
- LDAP directory access
- 21 programmable keys
- 802.3af Power over Ethernet
- 240x120 pixel backlit display
- AC Adapter (optional)
- Electronic Hook Switch (EHS) support
- Busy Lamp Field (BLF)
- XML Browser



33i The ZIP 33i offers exceptional value in an easy to use, feature rich IP Phone ideal for regular phone users.

- Full duplex speakerphone
- Dual 10/100 Ethernet ports
- Modular headset connector
- 6 programmable keys
- 802.3af Power over Ethernet
- AC Adapter (optional)
- 3 line display (2 x 15 characters plus line of icons)
- Local directory
- Wideband audio support
- Distinctive ringing



340M LCD Expansion Module for ZIP 33i and ZIP 37G.

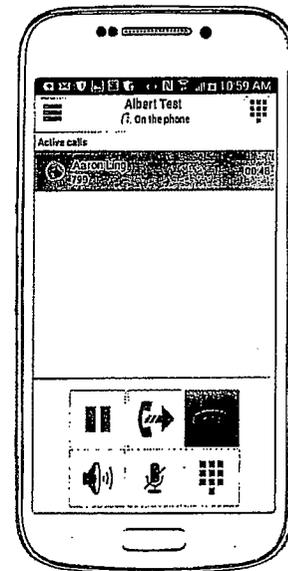
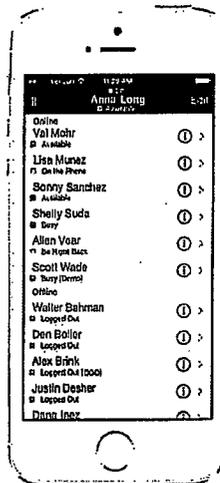
- 160 x 320 pixel graphical backlit LCD
 - 38 programmable keys (1 page x 20 keys, or 2 pages x 19 keys)
 - Up to 6 expansion modules may be daisy-chained per phone
- (Phone and system limits apply to the maximum number of BLF keys)

All ZIP models have hearing aid compatible handsets

Zultys Mobile Communicator™

Unified Communications Goes Mobile (iPhone and Android)

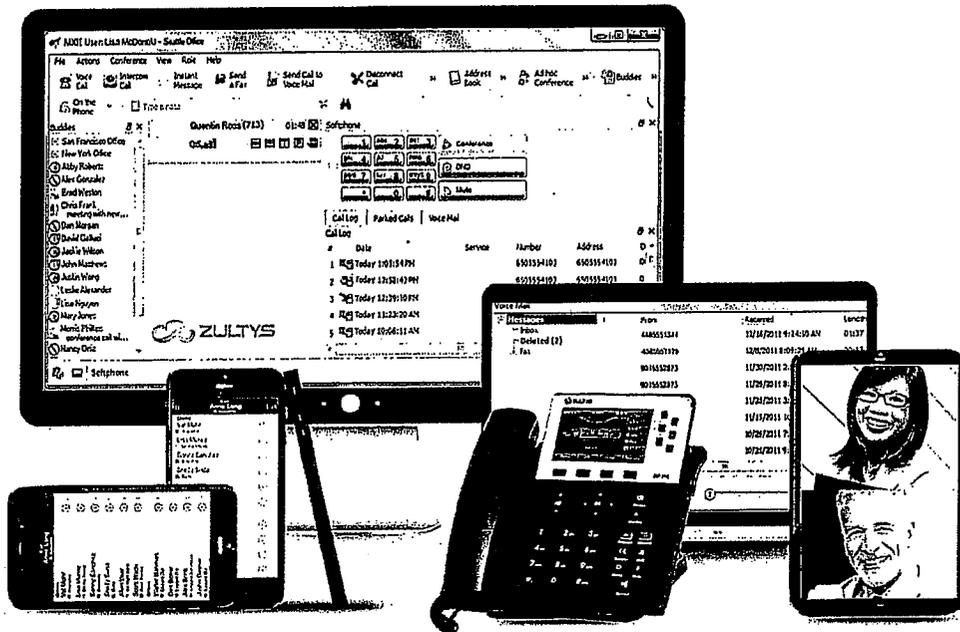
Zultys mobility solutions for Unified Communications allow employees to stay connected and in contact no matter where they are. Zultys Mobile Communicator is a real-time presence and communications client for Android® and iPhone® that delivers a complete Unified Communications experience to mobile workers by integrating them into the corporate Voice and Unified Communications system. Zultys mobility solutions provide critical tools like voice mail access and management, presence, internal extension dialing, corporate directory access, and least cost routing to cut international call costs.



AVAILABLE FEATURES INCLUDE:

- Mobile presence and instant messaging
- Visual voice mail
- Contact center agent functionality
- Mobile privacy (present office caller ID)
- Single number contact
- Least cost routing
- Corporate directory and phone system access
- Email integration
- System level call hold and transfer
- Call alerts





Zultys brings you all the benefits of advanced Unified Communications and IP Telephony through an efficient, affordable, and highly scalable family of native SIP products and solutions designed for the needs of SMB and Enterprise Customers.

ABOUT ZULTYS:

Zultys is the global provider of a true all-in-one unified communications solution. Innovative, reliable and scalable, Zultys IP phone systems integrate voice, video, data and mobility — in a single premise based appliance or in the cloud — to optimize collaboration for businesses of all sizes. Zultys delivers a powerful, feature-rich communications system that is easy-to-use, deploy and maintain. Zultys is headquartered in Silicon Valley with offices around the world.

In the cloud or on your premises — your choice!



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