

Approved December 4, 2006

THE INGHAM COUNTY LAND BANK FAST TRACK AUTHORITY
MONDAY, November 6, 2006
Minutes

Members Present: Dale Copedge, Debbie DeLeon, Curtis Hertel, Jr., Eric Schertzing, Andy Schor.

Members Absent: none

Others Present: Timothy Perrone, Mary Ruttan, Dorothy Boone.

The meeting was called to order by Chair Schertzing at 5:35 p.m. in the Personnel Conference Room of the Human Services Building, 5303 S. Cedar, Lansing.

Approval of Minutes

Minutes of the September 18, 2006, regular and closed meetings were reviewed.

MOVED BY HERTEL SUPPORTED BY SCHOR TO APPROVE THE MINUTES AS CORRECTED.

Aye: Copedge, DeLeon, Hertel Jr., Schertzing, Schor. Nay: none. Absent: none.

Additions to the Agenda - None

Limited Public Comment – None

1. Property maintenance & rehabilitation

- a. Review of properties – hand out.

Property Update list for November 6th reviewed in detail following the legal overview by Perrone.

710 E. Middle, Williamston – Open house template from October reviewed.

922 Pennsylvania, Lansing – Planned to be our introduction to Lansing leaders and residents. This is a lot of house for the money.

149 Spartan, East Lansing – Renovations begin with new roof this week. Scott Frederickson, a 2nd general contractor is doing work.

5926 Laporte, Lansing – Listed for sale, rental license in place. Some buyer interest. May be land contact terms.

1017 S. Holmes, Lansing – Planned rental property under renovation. Asbestos issues being resolved. Small home. A learning experience, but costly for the end product. Leo Trumble, a 3rd general contractor was low bidder.

1706 Elizabeth, Lansing – Earlier renovation installed windows incorrectly. Appliances and wet basement will be dealt with.

309 W. Grand River, Lansing – Talked to Habitat about stripping any usable materials out of home prior to demolition.

4327 S. Aurelius, Lansing – Eviction proceedings delayed until late November. Former owner interested in buying.

Howe Street, Lansing – Per discussions with Lansing this is a lot for Habitat 2 story home.

Midwood and Pleasant Grove, Lansing – Lots for Hill Vocational High School to do build jobs.

Penn & Porter and Jolly Road, Lansing – Discussions with Lansing and Westridge Homes for two build jobs on these lots.

Board express comfort with new builds as long as they are a break even proposition.

East Miller Road, Lansing – This will be our first sale for \$3,000. Quit Claim deed with non-development covenant.

422 Adams, Lansing – Good space for Lansing office.

3653 Williamston Road, Leslie – Waiting for title issue to resolve.

861 Waldo Road, Williamston – Title issue.

b. General legal review

Perrone reviewed the lawsuit by Oaktree Properties. Treasurer carried out foreclosed property transfer to Land Bank via County as provided in law. Oaktree temporary restraining order was denied by Judge Manderfield. Their attorney has not conducted any discovery for case. They have not agreed to dismiss. Earliest date for dismissal is the middle of January 17th. December 6th is court date for some relief through a request to have Lis Pendens quashed. Our case is strong. Their only request is for injunctive relief which has been rendered moot. They do not have standing.

Hope case on the 6th will lift lis pendens and allow Land Bank to obtain title insurance and allow sales of property to go through. This could also result in case being dismissed. If not, we should pursue sanctions at the January hearing based on their lack of standing and the frivolous nature of suit.

Chair indicated that the person behind Oaktree Properties is Michael Markey. Markey is a long term lien and auction investor. Markey and his attorney are not interested in positively and professionally dealing with situation.

Discussion about Court Rules and timing of case and potential risk to Land Bank in sale transactions. We will have to work with timing.

c. Resolution requesting County Board to transfer rejected parcels

**RESOLUTION REQUESTING THAT INGHAM COUNTY TRANSFER ALL UNSOLD
TAX REVERTED PROPERTIES REJECTED BY LOCAL UNITS TO THE INGHAM
COUNTY LAND BANK FAST TRACK AUTHORITY**

RESOLUTION #06-

WHEREAS, the Land Bank Fast Track Act, 2003 PA 258, being MCL 124.751 *et seq.*, (“the Act”) establishes the State Land Bank Fast Track Authority; and

WHEREAS, the Act allows a foreclosing governmental unit to enter into an intergovernmental agreement with the State Land Bank Fast Track Authority providing for the exercise of the powers, duties, functions, and responsibilities of an authority under the Act, and for the creation of a County Land Bank Fast Track Authority (the “Authority”) to exercise those functions; and

WHEREAS, the Ingham County Treasurer, with Ingham County Board of Commissioners approval, has entered into such an intergovernmental agreement under the Act; and

WHEREAS, tax reverted property not previously sold by the foreclosing governmental unit shall be transferred to the city, village, or township in which the property is located, except those parcels of property to which the city, village or township has objected to in accordance with 1999 PA 123, MCL 211.78M(6); and

WHEREAS, rejected parcels become the property of Ingham County; and

WHEREAS, the Land Bank was established to assist in the strategic disposition of tax reverted property; and

WHEREAS, local units are encouraged to reject parcels back to the County for disposition by the Land Bank.

THEREFORE BE IT RESOLVED, that the Authority request that the County Board pass a resolution to transfer all rejected property to the Land Bank; and

BE IT FURTHER RESOLVED, that the Authority request that the Board resolution allowing transfer to the Land Bank remain effective until changed.

Discussion about whether resolution should be perpetual or not. Issue will be raised at County Services tomorrow night.

MOVED BY SCHOR SUPPORTED BY DELEON TO REQUEST COUNTY CONVEY LOCAL REJECTED PARCELS TO LAND BANK.

Aye: Copedge, DeLeon, Hertel Jr., Schertzing, Schor. Nay: none. Absent: none.

2. Contracts & Bills

- a. Listing agreements – review of status

Spread sheet handed out.

- b. approval of bills

MOVED BY SCHOR SUPPORTED BY DELEON TO APPROVE BILLS.

Aye: Copedge, DeLeon, Hertel Jr., Schertzing, Schor. Nay: none. Absent: none.

- c. Resolution authorizing Chair to sign real estate documents

Realtor expressed desire to have specific authorization for Chair to sign documents on behalf of Land Bank.

**RESOLUTION AUTHORIZING LAND BANK CHAIR TO SIGN ALL DOCUMENTS
RELATED TO PROPERTY ACQUISITION AND DISPOSITION**

RESOLUTION #06-

WHEREAS, the Land Bank Fast Track Act, 2003 PA 258, being MCL 124.751 *et seq.*, (“the Act”) establishes the State Land Bank Fast Track Authority; and

WHEREAS, the Act allows a foreclosing governmental unit to enter into an intergovernmental agreement with the State Land Bank Fast Track Authority providing for the exercise of the powers, duties, functions, and responsibilities of an authority under the Act, and for the creation of a County Land Bank Fast Track Authority (the “Authority”) to exercise those functions; and

WHEREAS, the Ingham County Treasurer, with Ingham County Board of Commissioners approval, has entered into such an intergovernmental agreement under the Act; and

WHEREAS, within policies and procedures established by the Authority the Land Bank Chair acts on behalf of the Authority to carry out the acquisition and disposition of property.

THEREFORE BE IT RESOLVED, that the Authority authorizes the Land Bank Chair to execute all legal documents necessary to buy and sell property for the Land Bank.

MOVED BY HERTEL SUPPORTED BY SCHOR TO PASS RESOLUTION AUTHORIZING CHAIR TO SIGN REAL ESTATE DOCUMENTS.

Aye: Copedge, DeLeon, Hertel Jr., Schertzing, Schor. Nay: none. Absent: none.

4. Chair’s Activity Report

- a. Monthly report – hand out

Establishment of Brownfield Plan for Land Bank parcels, use of 422 Adams for Lansing Land Bank office, and stepped up efforts with Capital Area Community Services for foreclosure prevention discussed.

- b. 4905 Sydney – Commissioner Copedge

Member Copedge and Chair met with City of Lansing Treasurer, Assessor and Legal Department to discuss what, if anything, could be done about this special assessment. After much discussion

the only way to make good come out of the bad situation is for special assessment to be eliminated. The Land Bank could take a deed in lieu of taxes for this special assessment amount if the City will support. Mr. Highley will be invited to attend our next meeting to discuss further.

c. Pending litigation – closed session with attorney

There being no reason for closed session, Perrone discussed Dollar lawsuit. Remains unclear what tactics Plaintiffs may use. They have succeeded in delaying eviction, but have not filed any suit with a foundation for relief from the foreclosure.

Announcements – None

Public Comment - None

MOVED BY SCHERTZING SUPPORTED BY HERTEL TO ADJOURN.

Aye: Copedge, DeLeon, Hertel, Jr., Schertzing, Schor. Nay: none. Absent: none.

The meeting adjourned at 6:47 p.m.