Emergency Financial Manager of the City of Ecorse
(Directive No. 044)

ORDER OF THE EMERGENCY FINANCIAL MANAGER OF THE CITY OF ECORSE, COUNTY OF WAYNE, STATE OF MICHIGAN TO QUIT CLAIM THE "MILL STREET" PROPERTY BACK TO THE ECORSE BROWNFIELD REDEVELOPMENT AUTHORITY PURSUANT AN ORDER OF THE CIRCUIT COURT FOR THE COUNTY OF WAYNE IN CASE NUMBER 08-104027-CZ ORDERING THE RETURN OF THE "MILL STREET" PROPERTY BY THE CITY OF ECORSE TO THE ECORSE BROWNFIELD REDEVELOPMENT AUTHORITY.

WHEREAS, under the Local Government Fiscal Responsibility Act, Act 72, Public Acts of Michigan, 1990, as amended ("Act 72") and a Contract (the "Contract") between the State of Michigan and Joyce A. Parker, dated October 30, 2009, Joyce A. Parker has been appointed as the Emergency Financial Manager (the "EFM") of the City of Ecorse, County of Wayne, Michigan (the "City") and charged with the power to take actions with respect to the City, including the power to exercise the authority and responsibilities of the Mayor, as the Chief Administrative Officer of the City, and of the City Council, as the governing body of the City, concerning the adoption, amendment and enforcement of ordinances or resolutions affecting the financial condition of the City as provided in the Home Rule City Act, Act 279, Public Acts of Michigan, 1909, as amended ("Act 279"); and

WHEREAS, pursuant to Act 72 and the Contract, the EFM, as the Chief Administrative Officer of the City, is authorized to, among other things, make, approve or disapprove any appropriation, contract, expenditure, or loan for the City, as well as, sell or otherwise use the assets of the unit of local government to meet obligations as she may deem necessary, within her sole discretion, to accomplish the purposes of Act 72; and.

WHEREAS, the Ecorse Brownfield Redevelopment Authority [EBRA] was first created in 2005 by an act of the City Council taken pursuant to the Brownfield Redevelopment Finance Act, MCL 125.2651. The City purchased, what became known as the "Mill Street" property from U. S. Steel and transferred the property to the EBRA for it to pursue development under the Brownfield Redevelopment Finance Act with the understanding that the EBRA would provide for the repayment of the purchase price to the City.

WHEREAS, subsequently, the EBRA's actions and inactions regarding the property, its financial and legal obligations, alleged misappropriation of funds, and a federal investigation into the business practices of the EBRA caused the Mayor and City Council to terminate the members of the EBRA and reorganize the public authority. Various lawsuits ensued beginning in 2007.

WHEREAS, Circuit Court Judge Michael F. Sapala issued a lengthy Order on August 14,2008 in case number 08-104027-CZ finding the members of the EBRA in contempt of Court, ordering, among other actions, to immediately transfer all EBRA assets, which included the "Mill Street" property, to the City of Ecorse.

WHEREAS, on or about June 4, 2010, in the same lawsuit, Judge Sapala issued an Order reinstating the Ecorse Brownfield Redevelopment Authority and further ordering the City of Ecorse to transfer back to the EBRA "...all properties, real and personal, which were held by the Ecorse Brownfield Redevelopment Authority at the date of its dissolution, including the property commonly referred to as the Mill Street property..."

WHEREAS, the City of Ecorse seeks to comply with Judge Sapala's Order by transferring the Mill Street property by Quit Claim Deed back to the Ecorse Brownfield Redevelopment Authority, the Emergency Financial Manager, pursuant to the approval of the Court, having first appointed members to the expired terms of office on the EBRA. The City of Ecorse is also eager to have the EBRA move forward with appropriate activities to knowledgably develop the Mill Street property.

This Directive is necessary in order to carry out the duties and responsibilities required of the Emergency Financial Manager as set forth in Public Act 72, the contract between the Local Emergency Financial Assistance Loan Board and the Emergency Financial Manager and, additionally, is considered necessary to implement the financial plan.

RESOLVED, IT IS HEREBY ORDERED BY THE EMERGENCY FINANCIAL MANAGER OF THE CITY OF ECORSE, PURSUANT TO PUBLIC ACT 72 AND THE CONTRACT, THAT:

1. Pursuant to Judge Sapala's June 4, 2010 Order in Case Number 08-104027-CZ the City transfers the MILL STREET property, identified by the attached legal description, by Quit Claim Deed back to the Ecorse Brownfield Redevelopment Authority to pursue development under the Brownfield Redevelopment Finance Act and the repayment of the purchase price to the City.

2. Repeal. All orders of the EFM, resolutions of the City Council of the City and parts of resolutions or orders in conflict with this Order are hereby repealed to the extent of such conflict.

IT IS SO ORDERED this 4th day of January, 2011.

Joyce A. Parker
Emergency Financial Manager
City of Ecorse

Legal Description

Land in the City of Ecorse, Wayne County, Michigan described as:

PARCEL A

Lots 1 through 57, both inclusive and adjoining and including vacated streets and alleys, River Heights Subdivision, according to the plat thereof as recorded in Liber 30, Page 17 of Plats, Wayne County Records.

Re: 265 Mill
Tax Item No. 82-34-014-01-0001-000, Lots 1-45
Re: 275 Mill
Tax Item No. 82-34-014-01-0046-000, Lots 46-51
Re: 283 Mill
Tax Item No. 82-34-014-01-0052-000, Lot 52
Re: 285 Mill
Tax Item No. 82-34-014-01-0053-000, Lots 53-54
Re: 287 Mill
Tax Item No. 82-34-014-01-0055-000, Lots 55, 56 and 57

PARCEL B (Mill)

ALSO, That part of Private Claims 86 and 212 described as: Beginning at the point of intersection of the centerline of the North branch of the Ecorse River with the Easterly line extended of that part of River Heights Subdivision, bordering on said North Branch and proceeding thence North 14 degrees 22 minutes East along said Easterly line to the Southerly line of public alley lying South of Mill Street; thence South 75 degrees 38 minutes East along said Southerly line 1701.83 feet to the most Easterly Southeast corner of River Heights Subdivision; thence North 10 degrees 25 minutes East along the Easterly line of said subdivision, North 123.0 feet to the Southerly line of Mill Street; thence South 75 degrees 38 minutes East along said Southerly line 40.0 feet to the Westerly line of the Detroit and Toledo Shore Line Railroad Right of Way; thence South 10 degrees 25 minutes West along said Westerly line 923.20 feet to the centerline of Ecorse River; thence Westerly along said centerline to the point of junction of the centerlines of the North and South branches of Ecorse River; thence Northwesterly and Westerly along the centerline of the North branch of Ecorse River as shown in the plat to the point of beginning.

ALSO, Lots 71 to 259, inclusive, and adjoining and including vacated streets and alleys, also all land lying Westerly and Southerly of Lots 71 to 121, inclusive, between the Northerly line of Lots 71 and the Easterly line of Lot 121 extended to the center of Ecorse River, as shown on the plat of River Heights Subdivision, Liber 30, Page 17 of Plats, Wayne County Records.

Re: 255 Mill
Tax Item No. 82-34-014-99-0014-000

PARCEL C

ALSO, Lots 58 to 70, inclusive, ALSO all land lying Westerly of the Westerly line of Lots 67 to 70 inclusive between the Northerly line of Lot 67 and the Southerly line of Lot 70 extended Westerly to the center of Ecorse River, as shown on the plat of River Heights Subdivision part of Private Claims 86 and 212, Liber 30, Page 17 of Plats, Wayne County Records.

Tax Item No. 34-014-01-0058-000