

East Bay Charter Township

2

Sue Courtade

From: Zemsta, Lori P. [lzemsta@shrr.com]
Sent: Friday, October 31, 2008 2:13 PM
To: ebtclerk@chartermi.net
Cc: Kish, Gregory R.; Judson, Chuck
Subject: Grand Traverse Metro Emergency Services Resolution
Attachments: 20081031124545318.pdf

Dear Ms. Courtade,

Attached please find a letter and attachments from Charles Judson regarding the Metro Fire Department Resolution. Thank you.

SMITH HAUGHEY RICE & ROEGGE

Lori Zemsta, Legal Secretary

Direct Phone: 231-486-4548
202 E. State Street, Suite 100
Traverse City, MI 49684-5783
Phone: 231-929-4878 Fax: 231-929-4182
E-mail: lzemsta@shrr.com

***** Smith Haughey Rice & Roegge *****

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SMITH HAUGHEY RICE & ROEGGE

A Professional Corporation
ATTORNEYS AT LAW

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www.shrr.com

Charles B. Judson
231-486-4519
cjudson@shrr.com

Also licensed in Florida

Ann Arbor
Grand Rapids
Traverse City

October 31, 2008

EMAIL AND FIRST CLASS MAIL

Ms. Dorothy Dunville
Acme Township Clerk
6042 Acme Road
Williamsburg, MI 49690

Ms. Susanne Courtade
East Bay Township Clerk
1965 North Three Mile Road
Traverse City, MI 49686

Ms. Kay Schumacher
Garfield Township Clerk
3848 Veterans Drive
Traverse City, MI 49684

RE: Grand Traverse Metro Emergency Services Authority

Dear Clerks:

In anticipation of your upcoming meetings wherein the newly formed Grand Traverse Metro Emergency Services Authority will be discussed and acted upon, I am enclosing for presentation to your respective boards the following documents as they pertain to your township:

1. Resolution Transferring Fire Protection Authority to Grand Traverse Metro Emergency Services Authority.
 - a. Attachment 1 – Resolution Implementing Transition to Grand Traverse Metro Emergency Services Authority.
 1. Exhibit A – Grand Traverse Metro Fire Department Asset Listing
 2. Exhibit B – Quit Claim Deed from Grand Traverse Metro Fire Department to Grand Traverse Metro Emergency Services Authority
 - b. Attachment 2 – Resolution of Grand Traverse Metro Fire Department Regarding Pension Plan
2. Original Quit Claim Deed for signature by the appropriate township officials.

SMITH HAUGHEY RICE & ROEGGE

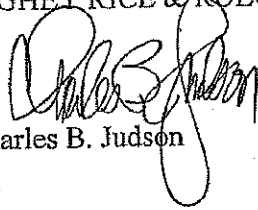
Ms. Dorothy Dunville
Ms. Susanne Courtade
Ms. Kay Schumacher
October 31, 2008
Page 2

We will be looking for the Township Resolution to be acted upon, and assuming approval, execution of the Deed. Please have two copies of the Resolution signed and return one copy of the Resolution and the Deed bearing original signatures to our office.

Please do not hesitate to contact me with any questions. Thank you.

Sincerely,

SMITH HAUGHEY RICE & ROEGGE


Charles B. Judson

CBJ:lpz
Enclosures

RESOLUTION 2008-____
RESOLUTION TRANSFERRING FIRE PROTECTION AUTHORITY TO GRAND
TRAVERSE METRO EMERGENCY SERVICES AUTHORITY
EAST BAY TOWNSHIP,
GRAND TRAVERSE COUNTY, MICHIGAN

Resolution of a meeting of the Board of Trustees of East Bay Township, Grand Traverse County, Michigan, held in the Township on the _____ day of _____, 2008, at _____ o'clock ____m. Present: _____

The following preamble and resolution were offered by _____ and supported by _____:

WHEREAS, since 1980, the Township has provided fire protection services through Grand Traverse Metro Fire Department pursuant to an agreement with the Townships of Acme and Garfield.

WHEREAS, on September 8, 2008, East Bay Township adopted the Articles of Incorporation of the Grand Traverse Metro Emergency Services Authority ("the Articles"), thereby creating a legal authority separate from the township which is intended to provide fire protection services for the residents and businesses of East Bay Township; and

WHEREAS, the Articles contemplate that the Township will transfer its authority for fire protection services to the Grand Traverse Metro Emergency Services Authority, and that the Grand Traverse Metro Emergency Services Authority will provide fire protection services within the Township currently provided by the Grand Traverse Metro Fire Department; and

WHEREAS, the Township currently funds its responsibilities for the Grand Traverse Metro Fire Department through revenues provided by a Special Assessment District for fire protection services.

NOW, THEREFORE,

BE IT RESOLVED that:

1. The Township hereby transfers its authority to provide fire protection services within the Township to the Grand Traverse Metro Emergency Services Authority, effective January 1, 2009.
2. Effective January 1, 2009, all Township ordinances which currently specify fire services provided by Grand Traverse Metro Fire Department shall be amended to reflect those services to be provided by Grand Traverse Metro Emergency Services Authority. Specifically, this includes:
 - a. Fire Protection Ordinance, Number 2005-5.
3. The Township approves assignment of the Lessee's interest to the Grand Traverse Metro Emergency Services Authority in the lease agreement

dated May 12, 2008 between the Township as Lessor and Grand Traverse Metro Fire Department as Lessee for the fire station located at 110 High Lake Road, Traverse City, MI 49686, effective January 1, 2009.

4. The Township authorizes payment of revenues from its Special Assessment District for fire services to Grand Traverse Metro Emergency Services Authority in an amount sufficient to meet its obligations pursuant to the Articles, effective January 1, 2009.
5. The Township transfers its interest in all assets currently held by, used for, or titled in the name of Grand Traverse Metro Fire Department to the Grand Traverse Metro Emergency Services Authority, effective January 1, 2009, and further ratifies all transfers, conveyances, assignments and actions properly authorized by the Grand Traverse Metro Fire Department which may have been undertaken on behalf of the Township since October 15, 1980. The transferred assets include but are not limited to the list attached as **Exhibit A of Attachment 1** and incorporated herein by reference.
6. The Township ratifies and accepts the resolutions of the Grand Traverse Metro Fire Department Board of Directors dated October 28, 2008 and attached as **Attachments 1 and 2**.
7. The Township transfers its interest in the real property described in **Exhibit B of Attachment 1** to the Authority, effective January 1, 2009.
8. In the event that any action authorized above conflicts with the Articles, the actions referenced by this resolution shall control and serve to amend the applicable provision of the Articles, including the effective date of the Grand Traverse Metro Emergency Services Authority.
9. The Township hereby authorizes the Supervisor and Clerk to execute all assignments, titles, forms, or other documents necessary to effectuate actions directed by this resolution.
10. Approval of this Resolution is intended to terminate the Township's further responsibilities, if any, under the October 15, 1980, agreement creating Grand Traverse Metro Fire Department.

Ayes: _____
Nays: _____

RESOLUTION DECLARED ADOPTED.

By: _____,
Clerk for
East Bay Township

RESOLUTION 2008-04
RESOLUTION IMPLEMENTING TRANSITION TO GRAND TRAVERSE METRO
EMERGENCY SERVICES AUTHORITY
GRAND TRAVERSE METRO FIRE DEPARTMENT BOARD OF DIRECTORS,
GRAND TRAVERSE COUNTY, MICHIGAN

Resolution of a meeting of the Board of Directors of the Grand Traverse Metro Fire Department, Grand Traverse County, Michigan, held in the Township on the 28th day of October, 2008, at _____ o'clock ____m. Present: Glen Lile, Wayne Kladder and Kay Shoemaker. Also present was Chuck Korn, Frank Zorafonitis and members of the Metro staff.

The following preamble and resolution were offered by Kladder and supported by Shoemaker:

WHEREAS, the townships of Acme, East Bay, and Garfield provide fire protection services through Grand Traverse Metro Fire Department ("Metro") pursuant to an agreement dated October 15, 1980;

WHEREAS, each of the three townships has adopted the Articles of Incorporation for the Grand Traverse Metro Emergency Services Authority ("the Articles");

WHEREAS, the Articles contemplate that each Township will transfer its authority for fire protection services to the Grand Traverse Metro Emergency Services Authority ("the Authority") and that the Grand Traverse Metro Emergency Services Authority will provide fire protection services within the Township that are currently provided by the Grand Traverse Metro Fire Department;

WHEREAS, the actions contemplated by this Resolution reflect Metro's intent to transfer all of its assets to the Authority at stated values reflected on its books in return for the Authority accepting all liabilities and obligations incurred by Metro, and its further agreement to perform fire protection services for the municipalities which comprise the Authority; and

WHEREAS, the agreement which formed Metro will terminate upon completion of the actions authorized in this Resolution.

NOW, THEREFORE, BE IT RESOLVED that Metro hereby approves the following actions, transfers, conveyances and assignments to be effective January 1, 2009:

1. A transfer of all of its right, title, and interest in vehicles, real property, bank accounts, Certificates of Deposit, authorized investments, and personal property to the Authority. The transferred assets include but are not limited to the list attached as **Exhibit A**.
2. An assignment of all contractual rights it may hold to the Authority, including, but not limited to, an assignment of all employment agreements, employee pension plans and funds, and obligations related thereto.
3. A transfer and conveyance of its interest in the real property described in the attached **Exhibit B** to the Authority.

4. An assignment of its interest in the following leases to the Authority
- a. Acme Township. Lease for the fire station facility located at 6042 Acme Road, Williamsburg, MI 49690, dated August 12, 2008.
 - b. East Bay Township. Lease for the fire station facility located at 110 High Lake Road, Traverse City, MI 49686, dated May 12, 2008.
 - c. Garfield Township. Lease for the fire station facility located at 3000 Albany, Traverse City, MI 49684, dated September 25, 2008.
5. This is a transfer and assignment of all assets, liabilities and obligations incurred by Metro, and is performed in contemplation of the Authority's commitment to provide fire protection services within the Townships that are currently provided by Metro.
6. The Fire Chief and one Board member are hereby authorized to execute all assignments, titles, forms, deeds or other documents to effectuate the actions directed by this Resolution.

Ayes: 3
Nays: 0

RESOLUTION DECLARED ADOPTED.

By: _____

Its actin Secretary



**GRAND TRAVERSE METRO FIRE DEPARTMENT
ASSET LISTING
9/30/2008**

ACCOUNT DESCRIPTION	TOTAL COST
LAND	416,130.73
LAND IMPROVEMENTS	27,999.08
BUILDINGS AND BUILDING IMPROVEMENTS	2,516,759.03
VEHICLES	3,333,654.37
MACHINERY & EQUIPMENT	551,982.35
OFFICE EQUIPMENT	58,536.39
RADIO EQUIPMENT	25,769.63
GRAND TOTAL	\$ 6,930,831.58

GRAND TRAVERSE METRO FIRE DEPARTMENT
 DEPRECIABLE ASSETS LISTING
 9/30/2008

LAND

PURCHASE DATE	ACCOUNT	DESCRIPTION	LOCATION	PURCHASE COST
12/23/1981	Land	Original land purchase	Metro	44,502.00
12/31/1989	Land	Add'l land purchase	Metro	39,623.00
12/31/1998	Land	Add'l land purchase	Metro	98,635.00
9/2/2005	Land	Meadowland Land Purchase - 2 lots	Station #1	200,690.73
8/1/2006	Land	Oleson Donated Property	Metro	32,680.00
				416,130.73

GRAND TRAVERSE METRO FIRE DEPARTMENT
 DEPRECIABLE ASSETS LISTING
 9/30/2008

LAND IMPROVEMENTS

PURCHASE DATE	VENDOR	DESCRIPTION	EXPECTED LIFE	LOCATION	PURCHASE COST
12/18/1998	Gourdie/Fraser	Land survey	15	Metro	1,500.00
12/18/1998	Whiteford & Assoc.	House removal	15	Metro	8,600.00
4/1/1999	Leonardos Tree Service	Tree removal	15	Metro	300.00
5/1/1999	North Meadow Landscape	Landscaping improvements	15	Metro	4,225.16
5/1/1999	Acme Turf Care	Landscaping improvements	15	Metro	3,006.93
5/1/1999	North Meadow Landscape	Landscaping improvements	15	Metro	1,009.70
6/1/1999	Acme Turf Care	Landscaping improvements	15	Metro	4,421.68
8/1/1999	North Meadow Landscape	Landscaping improvements	15	Metro	4,935.61
					27,999.08

Note: The above are costs incurred for land improvements incurred in conjunction with the building renovation in 1999.
 Information is per Tobin & Co. workpapers.

GRAND TRAVERSE METRO FIRE DEPARTMENT
 DEPRECIABLE ASSETS LISTING

9/30/2008

976.001	BUILDINGS
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PURCHASE DATE	ACCOUNT	VENDOR	DESCRIPTION	EXPECTED LIFE	LOCATION	PURCHASE COST
12/31/1988	976.001		Building	40	Metro	120,000.00
12/31/1990	976.001		Building Improvements	40	Metro	91,922.00
12/31/1999	976.001		Building Addition	40	Metro	308,403.29
11/27/2001	976.001	Blue Line	2 New Roof Top Furnaces	20	Metro	6,945.00
3/1/2004	976.001		Building Addition -construct. In progress	40	Metro	95,987.37
3/1/2004	976.001		Building Addition	40	Metro	163,816.42
7/1/2005	976.001	Vell Const.	Install New Office Windows	40	Metro	5,157.00
12/21/2007	976.001	Allen Supply	Access control lock system for Admin	7	Metro	15,602.00
2005	976.001		Purchase Meadowland Building	0	Metro - Station #1	730,085.66
2008	976.001	Hallmark	Metro Station #1 Remodel		Metro - Station #1	978,840.29

2,516,759.03



**GRAND TRAVERSE METRO FIRE DEPARTMENT
VEHICLE ASSET LISTING
9/30/2008**

PURCHASE DATE	VENDOR	DESCRIPTION	EXPECTED LIFE	LOCATION	PURCHASE COST
12/1/1998	Voice Motors	Chevrolet Venture Van (Spare)	12	Admin	23,930.50
12/12/2000	Voice Motors	Chevrolet Venture Van (736)	12	Admin	19,980.00
2/1/2001	Voice Motors	Chevrolet Suburban Fire Prevention (703)	10	Admin	33,411.00
1/1/2004	Voice Motors	Chevrolet Suburban (701)	10	Admin	35,600.00
1/4/2005	Voice Motors	2006 Chevy Colorado Truck (738)	15	Admin	19,429.00
5/18/2007	GMC Sierra Truck	Pick-Up Truck FPB/Investigations (735)	12	Admin	29,619.00
5/18/2007	GMC Sierra Truck	Pick-Up Truck FPB/Investigations (737)	12	Admin	29,619.00
5/28/2008	Bill Marsh	GMC Yukon (702)	10	Admin	48,371.00
1/1/1983	Emergency One	Tanker - Ford (T1)	25	Station 1	22,709.00
1/1/1988	Pierce Mfg., Inc.	Engine - Pierce Dash (13)	25	Station 1	143,558.00
1/1/1992	Voice Motors	Hose Truck - Chevrolet Kodiak (11HT)	15	Station 1	32,082.00
1/1/1995	Voice Motors	Air/Cascade - Chevrolet Kodiak (1AIR)	25	Station 1	47,289.00
8/1/1998	American Fire & Rescue	Rescue - Freightliner (R1)	20	Station 1	170,527.50
3/1/1994	Voice Motors	Chevrolet Suburban (Squad 1)	10	Station 1	25,106.00
6/16/2008	Pierce Mfg., Inc.	Ladder (Truck 1)	20	Station 1	639,597.00
1/1/1991	Marion Rescue & Fire	Rescue - Ford (8R)	20	Station 8	119,377.00
2/1/2001	Voice Motors	Chevrolet Suburban (Squad 8)	10	Station 8	32,703.00
1/1/1995	Classic Motor Sports	Mule - Kawasaki (8 Mule)	20	Station 8	6,675.00
3/1/1995	Pierce Mfg. Inc.	Engines - Pierce Dash (E8)	20	Station 8	238,748.00
5/1/1996	Voice Motors	Wildfire - Chevrolet (8WF)	25	Station 8	17,600.00
5/1/2001	Pierce Mfg. Inc.	Tanker - Freightliner (T8)	25	Station 8	162,350.00
1/1/1985		Sea Nymph Boat	28	Station 9	unknown
1/1/1993	Grand Traverse Ford	Watersupply-Ford 1 ton (9WS)	25	Station 9	17,704.00
1/1/1994		Arctic Cat Snowmobile	27	Station 9	unknown
1/1/1995	Classic Motor Sports	Mule - Kawasaki (9 Mule)	20	Station 9	6,675.00
1/1/1998	Voice Motors	Chevrolet Suburban (Squad 9)	15	Station 9	31,765.00
1/1/2001	Grand Traverse Ford	Wildfire - Ford (9WF)	25	Station 9	26,833.00
9/26/2006	American LaFrance	Station 9 Tanker - new	25	Station 9	187,941.50
2/3/2006	Traverse Bay Marine	SkiDoo Expedition	15	Station 9	6,023.17
7/17/2007	American LaFrance	Engine - Eagle (E9)	20	Station 9	462,795.60
1/1/1989	Marion Rescue & Fire	Rescue - GMC (11R)	20	Station 11	100,014.00
1/1/1990	Pierce Mfg. Inc.	Engine - Pierce Dash (E11)	20	Station 11	109,256.00
1/1/1995	Classic Motor Sports	Mule - Kawasaki (11Mule)	20	Station 11	6,675.00
8/1/1995	Pierce Mfg. Inc.	Engine - Pierce (E12)	17	Station 11	321,462.00
2/1/2001	Voice Motors	Chevrolet Suburban (Squad 11)	10	Station 11	32,703.00
8/1/2001	Pierce Mfg. Inc.	Tanker - Freightliner (T11)	25	Station 11	124,406.00
					<u>3,333,654.37</u>

GRAND TRAVERSE METRO FIRE DEPARTMENT
 DEPRECIABLE ASSETS LISTING
 9/30/2008

977,000	MACHINERY & EQUIPMENT
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PURCHASE DATE	ASSET NUMBER	VENDOR	DESCRIPTION	EXPECTED LIFE	LOCATION	PURCHASE COST
1/1/1985	M-0396		SCBA - Fill Station	10		7,551.00
1/1/1998	M-0275		Thermal Imaging Camera - ISI	10		18,000.00
11/23/1999		Douglass Safety Equip	4 Air Packs	10	Station 8 & 11	7,127.31
1/1/2000	M-0298		Thermal Imaging Camera - MSA	10		11,548.59
7/1/2000	Various	West Shore Fire, Inc.	80 - Air Pak Fifty 2.2 (includes 160 cylinders	10	Stations 8,11,9	164,698.80
7/1/2001	A-SCBA-001		SCBA-Scott Pak Maintenance Tester	10		5,000.00
3/20/2002	M-0032	West Shore Fire, Inc.	Thermal Imaging Camera - Bullard	10	Station 8	9,800.00
6/25/2002	M-0363	West Shore Fire, Inc.	SCBA - Fill Station/Air Compressor	10		26,233.00
3/1/2003	M-0477		Thermal Imaging Camera - Bullard	10		7,500.00
5/27/2003		Holmatro, Inc.	Jaws	10		8,866.10
11/1/2003	M-0502	West Shore Fire, Inc.	Thermal Imaging Camera - Bullard	10		7,500.00
11/1/2003	M-0508		Thermal Imaging Camera - Bullard	10		7,500.00
7/20/2005		Robotronics, Inc.	Sparky Animated Costume & pumper	10	Metro	12,457.00
8/18/2005		Modeltech International, Inc.	Hazard Simulator Model and touch display	10	Metro	20,890.00
4/20/2006		West Shore Fire	160 SCBA Assembly's - 2006 Grant	10	Metro	187,539.20
9/7/2006		Bullard	Thermal Imager	10	Station 9	8,980.00
12/31/2007		Traverse Reproduction & Sup	Printer/Scanner for Fire Prevention	5	Metro	14,620.00
2/20/2008		McLain Cycle & Fitness	Fitness equipment Station #1 - Grant	5		20,838.31
9/1/2008		Sedlacek Plumbing & Htg	Mitsubishi Mini Split condenser/evaporator			5,333.04
						551,982.35

GRAND TRAVERSE METRO FIRE DEPARTMENT
 DEPRECIABLE ASSETS LISTING
 9/30/2008

980.000 OFFICE EQUIPMENT

PURCHASE DATE	VENDOR	DESCRIPTION	EXPECTED LIFE	LOCATION	PURCHASE COST
5/25/1999	Interphase Office Furnishings	Office Furniture - front area and	5	Front area, FP office	10,887.42
5/25/1999	Interphase Office Furnishings	Office Furniture - front area and	5	Front area, FP office	7,446.80
6/1/1999	Interphase Office Furnishings	Office Furniture - front area and	5	Front area, FP office	1,870.00
3/1/2001	Interphase Office Furnishings	Office Furniture - front area and	5	Front area, FP office	5,003.12
3/2/2004	Excel Office Interiors	Office Furniture - Chief Exec Fu	5	Metro - Hanna	4,979.47
3/1/2004	Excel Office Interiors	Office Furniture - Chief Exec Fu	5	Metro - Parker	4,979.47
3/1/2004	Excel Office Interiors	Office Furniture - Chief Exec Fu	5	Metro - Sedlacek	4,979.47
3/1/2004	Excel Office Interiors	Office Furniture - Chief Exec Fu	5	Metro - Schnaldt	4,979.47
12/13/2007	Kopy Sales Inc.	Kyocera copy machine	5	Metro	6,580.00
12/13/2007	Total Electronics	New Server	5	Metro	6,831.19

58,536.39

GRAND TRAVERSE METRO FIRE DEPARTMENT
 DEPRECIABLE ASSETS LISTING
 9/30/2008

977.005	RADIO EQUIPMENT
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PURCHASE DATE	VENDOR	DESCRIPTION	EXPECTED LIFE	LOCATION	PURCHASE COST
3/1/2001	GT Mobile Comm.	Radio equip. for new van/truck	5	Metro	5,374.64
4/1/2001	GT Mobile Comm.	Radio equip for new trucks	5	Metro	9,794.64
3/1/2004	GT Mobile Comm.	Radio equip. for new Chiefs truck	5	Metro	10,600.35
					25,769.63

QUIT CLAIM DEED

The Grantor, **Grand Traverse Metro Fire Department**, an Intergovernmental Fire Department formed by the Townships of Acme, East Bay and Garfield, Grand Traverse County, Michigan pursuant to an agreement dated October 15, 1980, of 897 Parsons Road, Traverse City, MI 49686,

conveys and quit claims to the Grantee, **Grand Traverse Metro Emergency Services Authority**, an Emergency Services Authority incorporated under Act 57 of 1998, of 897 Parsons Road, Traverse City, MI 49686,

the lands and premises situated in the County of Grand Traverse and State of Michigan, as more fully described on the attached **Exhibit A**.

Consideration: Less than One Hundred Dollars (\$100.00).

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

The grantor grants to the grantee the right to make all available divisions under Section 108 of the land division act, Act No. 288 of the Public Acts of 1967

This conveyance of real property is exempt from State and County Transfer Tax pursuant to MCL 207.526(h) and MCL 207.505(h).

Executed by the Grantors this _____ day of _____, 2008.

Grand Traverse Metro Fire Department

By: _____, its

By: _____, its

STATE OF MICHIGAN)
)
COUNTY OF GRAND TRAVERSE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2008, by _____ and _____ on behalf of Grand Traverse Metro Fire Department.

Notary Public
County, Michigan
Acting in County, Michigan
My Commission Expires:

East Bay Township

By: _____, its Supervisor

By: _____, its Clerk

STATE OF MICHIGAN)
)
COUNTY OF GRAND TRAVERSE)

The foregoing instrument was acknowledged before me this _____ day of _____, 2008, by _____, Supervisor and _____, Clerk on behalf of East Bay Township.

Notary Public
County, Michigan
Acting in County, Michigan
My Commission Expires:

EXHIBIT A

GARFIELD TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN

Part of the Northeast quarter of Section 32, Town 27 North, Range 11 West, Garfield Township, Grand Traverse County, Michigan more fully described as: Commencing at the South quarter corner of said Section 32; thence North 00° 10' 36" West, 2662.37 feet; along the North and South quarter line of said Section 32 to a point on the East and West quarter line, and the center of said Section 32; thence continuing North 00° 10' 36" West, 1114.76 feet, along said quarter line to the Point of Beginning; thence South 89° 17' 15" East, 208.75 feet; thence North 00° 10' 36" West, 208.75 feet; to the North 1/8th line of said Section 32; thence North 89° 17' 15" West, 208.75 feet, along said 1/8th line to said North and South quarter line; thence South 00° 10' 36" East, 208.75 feet, along said North and South Quarter line to the Point of Beginning. Said parcel contains 1.00 acres.

Subject to an easement as recorded in Liber 488, Page 277, Grand Traverse County records.

Subject to other easements or restrictions, if any.

EAST BAY TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN

Units 6, 7 and 8, Meadowland Industrial Park, a condominium, according to the Master Deed recorded in Liber 1448, Pages 770-818, as amended in Amendment recorded in Liber 1456, Pages 73-81, Liber 1848, Page 967, Document #2004C-00063, Document #2004C-00069, Document #2005R-12054 and Document #2005C-00049, and designated as Grand Traverse County Condominium Subdivision Plan NO. 142, together with rights in the general common elements and limited common elements as set forth in the above Master Deed and as described in Act 59 of the Public Acts of 1978, as amended.

Subject to:

Rights of co-owners of Meadowland Industrial Park, a condominium in general common elements as set forth in Master Deed recorded in Liber 1448, Pages 770-818, and First Amendment recorded in Liber 1456, Pages 73-81, Liber 1848, Page 967, Document #2004C-00063, Document #2004C-00069, Document #2005R-12054 and Document #2005C-00049 and designated as Grand Traverse County Condominium Subdivision Plan NO. 142, together with rights in the general common elements and limited common elements as set forth in the above Master Deed and as described in Act 59 of the Public Acts of 1978, as amended.

Restrictions, developer's extension rights, covenants, conditions, easements, bylaws and other provisions as set forth in the above recited master Deed and Exhibits attached thereto as amended. Right of way in favor of Cherryland Rural Electric Cooperative Association as recorded in Liber 431, Page 363.

Twenty foot Easement for Sanitary Sewer Purposes as disclosed in 1457, Page 122.

Subject to Sewer Assessments on each parcel which Grantee assumes and agrees to pay.

EAST BAY TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN

Lots 20, 21, and 23 through 26 inclusive, Mitchell Creek Pines, according to the plat thereof, as recorded in Liber 4 of Plats, Page 21, Grand Traverse County Records.

EXHIBIT B

QUIT CLAIM DEED

The Grantor, **Grand Traverse Metro Fire Department**, an Intergovernmental Fire Department formed by the Townships of Acme, East Bay and Garfield, Grand Traverse County, Michigan pursuant to an agreement dated October 15, 1980, of 897 Parsons Road, Traverse City, MI 49686,

conveys and quit claims to the Grantee, **Grand Traverse Metro Emergency Services Authority**, an Emergency Services Authority incorporated under Act 57 of 1998, of 897 Parsons Road, Traverse City, MI 49686,

the lands and premises situated in the County of Grand Traverse and State of Michigan, as more fully described on the attached **Exhibit A**.

Consideration: Less than One Hundred Dollars (\$100.00).

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

The grantor grants to the grantee the right to make all available divisions under Section 108 of the land division act, Act No. 288 of the Public Acts of 1967

This conveyance of real property is exempt from State and County Transfer Tax pursuant to MCL 207.526(h) and MCL 207.505(h).

Executed by the Grantors this _____ day of _____, 2008.

Grand Traverse Metro Fire Department

By: _____, its

By: _____, its

STATE OF MICHIGAN)
)
COUNTY OF GRAND TRAVERSE)

The foregoing instrument was acknowledged before me this ____ day of _____, 2008, by _____ and _____ on behalf of Grand Traverse Metro Fire Department.

Notary Public
County, Michigan
Acting in
County, Michigan
My Commission Expires:

EXHIBIT A

GARFIELD TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN

Part of the Northeast quarter of Section 32, Town 27 North, Range 11 West, Garfield Township, Grand Traverse County, Michigan more fully described as: Commencing at the South quarter corner of said Section 32; thence North 00° 10' 36" West, 2662.37 feet; along the North and South quarter line of said Section 32 to a point on the East and West quarter line, and the center of said Section 32; thence continuing North 00° 10' 36" West, 1114.76 feet, along said quarter line to the Point of Beginning; thence South 89° 17' 15" East, 208.75 feet; thence North 00° 10' 36" West, 208.75 feet; to the North 1/8th line of said Section 32; thence North 89° 17' 15" West, 208.75 feet, along said 1/8th line to said North and South quarter line; thence South 00° 10' 36" East, 208.75 feet, along said North and South Quarter line to the Point of Beginning. Said parcel contains 1.00 acres.

Subject to an easement as recorded in Liber 488, Page 277, Grand Traverse County records.

Subject to other easements or restrictions, if any.

EAST BAY TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN

Units 6, 7 and 8, Meadowland Industrial Park, a condominium, according to the Master Deed recorded in Liber 1448, Pages 770-818, as amended in Amendment recorded in Liber 1456, Pages 73-81, Liber 1848, Page 967, Document #2004C-00063, Document #2004C-00069, Document #2005R-12054 and Document #2005C-00049, and designated as Grand Traverse County Condominium Subdivision Plan NO. 142, together with rights in the general common elements and limited common elements as set forth in the above Master Deed and as described in Act 59 of the Public Acts of 1978, as amended.

Subject to:

Rights of co-owners of Meadowland Industrial Park, a condominium in general common elements as set forth in Master Deed recorded in Liber 1448, Pages 770-818, and First Amendment recorded in Liber 1456, Pages 73-81, Liber 1848, Page 967, Document #2004C-00063, Document #2004C-00069, Document #2005R-12054 and Document #2005C-00049 and designated as Grand Traverse County Condominium Subdivision Plan NO. 142, together with rights in the general common elements and limited common elements as set forth in the above Master Deed and as described in Act 59 of the Public Acts of 1978, as amended.

Restrictions, developer's extension rights, covenants, conditions, easements, bylaws and other provisions as set forth in the above recited master Deed and Exhibits attached thereto as amended. Right of way in favor of Cherryland Rural Electric Cooperative Association as recorded in Liber 431, Page 363.

Twenty foot Easement for Sanitary Sewer Purposes as disclosed in 1457, Page 122.

Subject to Sewer Assessments on each parcel which Grantee assumes and agrees to pay.

EAST BAY TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN

Lots 20, 21, and 23 through 26 inclusive, Mitchell Creek Pines, according to the plat thereof, as recorded in Liber 4 of Plats, Page 21, Grand Traverse County Records.

RESOLUTION 2008-05

**RESOLUTION OF
GRAND TRAVERSE METRO FIRE DEPARTMENT
REGARDING PENSION PLAN**

Resolution adopted at a meeting of the Board of Grand Traverse Metro Fire Department held on the 28th day of October, 2008, at _____ o'clock in the ____m.

Present: _____

The following preamble and resolution were offered by _____
and _____:

WHEREAS, Grand Traverse Metro Fire Department is an administrative agency formed by authorized representatives of Acme Township, East Bay Township, and Garfield Township, all of which are in Grand Traverse County, Michigan; and

WHEREAS, Grand Traverse Metro Fire Department established a pension plan for its employees on January 1, 2000; and

WHEREAS, since establishing the pension plan on January 1, 2000, Grand Traverse Metro Fire Department has paid certain contributions, although those contributions have been designated by employee contributions; and

WHEREAS, Grand Traverse Metro Fire Department intends to continue to pay contributions in lieu of employee contributions, yet designate those contributions as employee contributions; and

WHEREAS, Internal Revenue Service Revenue Ruling 2006-43 requires state and local governments to document arrangements under which they make contributions on behalf of their employees to a qualified pension plan;

NOW, THEREFORE, BE IT RESOLVED:

1. That all contributions, although designated as employee contributions, are being paid by the employer, are intended to be picked up by the employer under Internal Revenue Code Section 414(h)(2), and Grand Traverse Metro Fire Department has not reported the contributions as wages subject to federal income tax withholding as of January 1, 2000;
2. That Grand Traverse Metro Fire Department intends that all future contributions, although designated as employee contributions, are being paid by the employer and are to be treated as picked up by the employer under Internal Revenue Code Section 414(h)(2);
3. That no participating employee has been permitted since January 1, 2000, nor shall be permitted in the future, to receive the amounts contributed to the pension plan directly instead of having them paid by the employer to the plan;
4. All eligible employees have been provided information relating to the establishment of the pickup since the establishment of the plan on January 1, 2000, and the employer has operated the plan accordingly;

BE IT FURTHER RESOLVED that the prior actions of the Grand Traverse Metro Fire Department regarding payments made by the employer, yet designated as employee contributions, are hereby ratified and affirmed.

BE IT FURTHER RESOLVED that the Grand Traverse Metro Fire Department Chief shall be authorized to execute any additional documents necessary to carry out this resolution.

Resolution declared adopted:

Lee F. Wilson

Chuck Korn

Wayne Kladder