

RESOLUTION

A RESOLUTION OF THE BOARD OF THE LAKE ORION DOWNTOWN DEVELOPMENT AUTHORITY

AUTHORIZING LUMBER YARD AT PAINT CREEK PUBLIC MARKET, INC. TO PREPARE, SIGN, AND SUBMIT APPLICATIONS AND MATERIALS FOR ALL ZONING, ORDINANCE, PERMITTING, AND PLAN APPROVALS RELATED TO THE LUMBER YARD AT PAINT CREEK PROJECT

WHEREAS, the Lake Orion Downtown Development Authority (the “DDA”) is the owner of the property commonly known as 215 S Broadway St Lake Orion MI 48362 where it intends to develop a public/private space known as the Lumber Yard at Paint Creek (the “Site”); and

WHEREAS, the DDA has identified the Site as a priority redevelopment and placemaking opportunity to host a year-round public market and related programming that advance local entrepreneurship, food access, and community activation; and

WHEREAS, Lumber Yard at Paint Creek Public Market, Inc., a Michigan nonprofit corporation (the “Operator”), has been formed to develop, operate, and steward the public market consistent with charitable and educational purposes under Section 501(c)(3) of the Internal Revenue Code; and

WHEREAS, in order to advance the project, applications and submissions must be made to the Village/Township and other agencies for zoning and land-use approvals, building and right-of-way permits, licenses, utility connections, environmental reviews, and other plan approvals (collectively, the “Approvals”); and

WHEREAS, the DDA desires to formally designate and authorize the Operator and its representatives to prepare, sign, and submit such applications and to appear before the relevant boards, commissions, and agencies with respect to the Approvals for the Site.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE DOWNTOWN DEVELOPMENT AUTHORITY:

Section 1 The DDA hereby designates Lumber Yard at Paint Creek Public Market, Inc. (the “Operator”) as an authorized project applicant for the Site and authorizes the Operator to prepare, sign, and submit, on behalf of the DDA as owner/sponsor or in coordination with the DDA and property owner(s), all applications, forms, plans, drawings, studies, affidavits, and correspondence necessary or desirable to obtain the Approvals, including without limitation: pre-application conferences; zoning text/ map amendments; planned unit development (PUD) or overlay approvals; special/conditional land uses; site plan review; variances/appeals to the Zoning Board of Appeals; building, mechanical, electrical, and plumbing permits; sign and right-of-way permits; utility connection permits; soil

erosion/sedimentation permits; environmental clearances; and any related approvals and renewals.

Section 2 Matthew Gibb is designated as the Operator’s “Authorized Representative” for the limited purpose of acting under this Resolution and may sign and submit applications, make statements, and appear at hearings. The DDA Chair or DDA Executive Director is authorized to countersign letters of authorization requested by permitting agencies.

Section 3 This authorization is administrative in nature and does not bind the Village/Township, the DDA, or any reviewing body to approve any application. All Approvals remain subject to applicable ordinances, engineering standards, building and fire codes, and independent review and action by the appropriate boards and officials.

Section 4 The Operator shall coordinate and the DDA shall pay application and review fees, retain design and technical consultants, and coordinate submittals with Village/Township staff, utility providers, road agencies, and other authorities having jurisdiction by and through the DDA Executive Director.

Section 5 To the extent permitted by law, the Operator shall indemnify, defend, and hold harmless the DDA and their officials, employees, and agents, from claims arising out of the Operator’s preparation and submission of applications under this Resolution, except to the extent caused by the negligence or willful misconduct of the indemnitees.

Section 6 This Resolution takes effect upon adoption and remains in effect until the earliest of written revocation by the DDA Board or two (2) years from adoption, unless extended by further DDA action.

Section 7 All acts of the Operator and its Authorized Representatives consistent with this Resolution and taken before its adoption are hereby ratified and confirmed. If any provision of this Resolution is held invalid, the remainder shall not be affected, and to this end the provisions are severable.

Adopted by the DDA Board on October 20, 2025.

Debbie Burgess, Chair, Downtown Development Authority

ATTEST:

Hank Lorant, Secretary, Downtown Development Authority

CERTIFICATION

I, the undersigned, the duly elected and acting Secretary of the Downtown Development Authority, do hereby certify that the foregoing is a true and correct copy of a resolution adopted at a meeting of the Authority held in compliance with the Open Meetings Act, with a quorum present and acting throughout.

Hank Lorant, Secretary

Date: _____

EXHIBIT A – PROJECT IDENTIFICATION

Attach a location map, sketch, or legal description.