

## **Dexter Township Resolution # 21-610**

### **A resolution to approve DEXTER TOWNSHIP DEVELOPMENT AGREEMENT LAG Development (LAFONTAINE)**

THIS DEVELOPMENT AGREEMENT ("*Agreement*") is entered into as of the 18<sup>th</sup> day of May, 2021 by and between LAG Development (LaFontaine) ("*Owners/Developer*"), a Michigan limited liability corporation, whose address is 4000 W. Highland Rd, Highland, Michigan 48357 and the Township of Dexter, a Michigan general law township, whose address is 6880 Dexter-Pinckney Road, Dexter, MI 48130 ("*Township*").

WHEREAS, the Developer desires to develop LAG Development on Tax Parcel No. D-04-15-300-001 located in the Township consisting of approximately 5 acres with access over public roads from North Territorial Rd. and Dexter Townhall Rd. The Property is being developed as a commercial vehicle sales facility. The Development is comprised of one (1) commercial building. WHEREAS, the Developer desires to develop the Development pursuant to the applicable Dexter Township Zoning Ordinance ("*Zoning Ordinance*") related to special land uses and commercial zoning district(s).

WHEREAS, the Developer desires to build all necessary on-site infrastructure for the Development, including, but not limited to, private wells, sanitary sewer system, storm sewers, drainage facilities, and electrical and telecommunication utilities, as shown in the approved Final Site Plan for the Development ("*Final Site Plan*"), without the necessity of special assessments by the Township; and

WHEREAS, the Developer desires to install the unit grading and soil erosion and sedimentation control improvements shown in the approved Final Site Plan in order to facilitate the drainage of storm water from and within the Development in such a manner as is not expected to result in damage to any adjacent property outside of the Development; and

WHEREAS, agreements, approvals, and conditions agreed to by the Developer and Dexter Township remain in effect, including, but not limited to, conditions and safeguards of all approvals by Dexter Township regarding zoning, special land use, and site plan approvals for the Development and permits that may have been issued by appropriate governmental review agencies for the Development for Dexter Township;

WHEREAS, Dexter Township's Planning Commission ("*Planning Commission*") and Dexter Township Board of Trustees ("*Board*") have taken the following actions approving the Development, with conditions and safeguards, as outlined in the adopted resolutions for Dexter Township:

Preliminary Site Plan Approval: Resolution 20-PC-203 (8/25/2020)  
Final Site Plan Approval: Resolution 20-PC-203 (3/23/2021)  
(Attachment D)

WHEREAS, having determined that all of the conditions of Final Site Plan approval for the Development had been satisfied, as determined by Dexter Township Director of Planning and Zoning ("*Director of Planning and Zoning*"), as referenced in the Planning Commission resolution described above, and the parties having therefore determined that the date of March 23, 2021, shall constitute the date of Final Site Plan approval for all purposes, including, without limitation, the date upon which the necessity for an extension of the Township's approval under the Zoning Ordinance would be calculated;

WHEREAS, the Zoning Ordinance requires execution of a Development Agreement such as this Agreement for the Development;

WHEREAS, the execution of this Agreement in connection with the Final Site Plan approval for the Development shall be binding upon the Township, Developer, and the owner(s) of the Property, their successors-in-interest and assigns, and the owners of units within the Development; and

NOW, THEREFORE, in consideration of the premises and the mutual covenants of the parties described in this Agreement and with the express understanding that this Agreement contains important and essential terms as part of the approvals of the Developer's Final Site Plan for the Development.

Resolution offered by: Trustee Drolett

Resolution seconded by: Trustee Sikkenga

Roll call vote: Ratkovich, Stamboulellis, Metz, Drolett, Nolte, Sanders, Sikkenga

Yeas: None

Nays: None

Abstain: None

Absent: None

Tally Y = 0; N = 0; Abstain = 0; Absent = 0

The Supervisor declared the resolution adopted.

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### **CERTIFICATE**

The undersigned, being the duly elected and acting Clerk of the Township of Dexter hereby certifies that the foregoing resolution was duly adopted at a regular meeting of the Dexter Township Board at which a quorum was present on the 18<sup>th</sup> day of May, 2020, and that the members voted thereon as hereinbefore set forth.

  
Michelle Stamboulellis, Clerk