City of Allen Park, County of Wayne,
State of Michigan

ORDER No. 2014-055A

AN ORDER OF THE EMERGENCY MANAGER DESIGNATING AND PROVIDING CITY ADMINISTRATOR WITH POWER AND AUTHORITY TO ENTER INTO PURCHASE AGREEMENT WITH BOJI GROUP ON BEHALF OF CITY.

WHEREAS, under Local Government Fiscal Responsibility Act, Act 72, Public Acts of Michigan, 1990, as amended ("Act 72") and as superseded by the Local Financial Stability and Choice Act, Act 436, Public Acts of Michigan, 2012 ("Act 436"), as well as any successor Acts, and a Contract (the "Contract") dated October 25, 2012 between the State of Michigan and Joyce A. Parker, Joyce A. Parker has been appointed as the Emergency Manager (the "EM") of the City of Allen Park, County of Wayne, Michigan (the "City") and is thereby charged with the power and authority to take all actions necessary to develop and implement financial and operational plans, to regulate expenditures, investments, ensure compliance with federal, state and local laws, regulations, rules, local laws and make provisions for services essential to the public health, safety, and welfare of the City of Allen Park, including the power to exercise the authority and responsibilities of the Mayor, the Chief Administrative Officer of the City, and of the City Council, as the governing body of the City, concerning the adoption and enforcement of ordinances and 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 436 and specifically MCL 141.1552(1)(g) authorizing an emergency manager to make, approve, or disapprove any appropriation, contract or expenditure and MCL 141.1552(1)(dd) and (ee) which provides that an emergency manager has the power and authority to exercise, on behalf of the local government, all authority and responsibilities of the governing body including enforcement of ordinances and resolutions as provided under the Home Rule City Act, 1909 PA 279, and take any other action or exercise any power or authority of any officer, employee, board, and commission, recognizing that the power of the emergency manager shall be superior to and supersede the power of any of the aforementioned officers or entities;

WHEREAS, the City of Allen Park wishes to enter into an appropriate purchase agreement with the Boji Group for the sale of up to four acres of land fronting on Southfield, said land being a portion of the eleven acres presently owned and occupied by the City of Allen Park and to accomplish this task , Emergency Manager authorizes and empowers the City Administrator to execute the Purchase Agreement pursuant to this ORDER . Further, that the price per acre shall be consistent with an appraisal authorized by the Emergency Manager and said Purchase Agreement shall place the financial burden of demolishing and cleaning up the City Hall structure and site on the Boji Group;

WHEREAS, the PROJECT work shall be done by the City of Allen Park and the City shall provide all requested documentation to the County.

WHEREAS, this ORDER is necessary in order to fully carry out the duties and responsibilities required of the Emergency Manager as set forth in Public Act 436, the Contract and the emergency financial plan;

RESOLVED, NOW THEREFORE, IT IS HEREBY ORDERED BY THE EMERGENCY MANAGER OF THE CITY OF ALLEN PARK, PURSUANT TO PUBLIC ACT 436 of 2013, THE CONTRACT, AND ALL OTHER RELEVANT LEGAL MANDATES THAT:

1`. Pursuant to this ORDER of the Emergency Manager, the City Administrator shall execute the Purchase Agreement with the Boji Group, that has a location address of 124 West Allegan St., Suite 2100 in Lansing, Michigan for the purchase of four acres of land fronting onto Southfield Road and being that portion of the eleven acres of land owned by the City of Allen Park and upon which the present City Hall Structure sits;

2. Pursuant to this ORDER of the Emergency Manager, the City Administrator is the authorized signatory with the power and authority to bind the City;

3. Pursuant to this ORDER, the Purchase Agreement shall contain a per acre price that reflects the authorized Emergency Manager authorized appraisal and shall place the financial burden of demolishing and cleaning up the City Hall structure and site on the Boji Group;

4. All orders of the EM, contracts, resolutions of the Allen Park City Council, 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 25th day of September, 2014.

JOYCE A. PARKER
Emergency Manager
City of Allen Park