

**2017 AMENDMENT TO THE TAX INCREMENT FINANCING
AND DEVELOPMENT PLAN
OF THE
BATTLE CREEK TAX INCREMENT FINANCE AUTHORITY**

(Approved by the Battle Creek Tax Increment Finance Authority on _____, 201_; Approved by the Battle Creek City Commission on _____, 201_ by Resolution No. __)

Section 1. Introduction. The Tax Increment Financing Plan (the “TIF Plan”) and Development Plan (the “Development Plan”) of the Battle Creek Tax Increment Finance Authority (the “Authority”) (collectively the TIF Plan and the Development Plan are referred to as the “Plan”) are hereby amended as set forth herein. This Amendment has been prepared, submitted, reviewed and approved in accordance with the requirements of, and in furtherance of the purposes set forth in, the Tax Increment Finance Authority Act, PA 450 of 1980, as amended (the “Act”).

Section 2. Amendment of Section VII.D. of TIF Plan. Section VII.D. of the TIF Plan included in Part Two of the Plan is hereby amended in its entirety to read as follows:

D. Annual Surplus of Tax Increment Revenue.

The following tax increment revenue shall pass through or revert to the taxing jurisdictions:

1. All revenues derived from voted millages which are passed after July 1, 1985 and which are not replacement of prior millages;
2. All revenues derived from voted millages for debt service;
3. 25% of revenues derived from Calhoun County operating millage;
4. 25% of revenues derived from Calhoun Intermediate School District allocated (non-special voted) millage in place prior to July 1, 1985;
5. 100% of the tax increment revenues of the Authority to Kellogg Community College during the time period KCC has responsibility for the operation and maintenance of the Regional Manufacturing Technology Center (RMTC) under the terms of a management and transfer agreement between the City of Battle Creek, Kellogg Community College, and the Authority. During any time the RMTC is not managed by KCC, tax increment revenues may be used to pay operating deficits of the RMTC, should they exist;

6. 35% of the tax increment revenues of the Authority derived from the City operating millage shall pass-through to and be used by the City for economic development purposes within the City and, pursuant to the discretion of the City, within the Authority's District. The amounts payable to the City in accordance with this subsection VII.D.6 shall be not less than \$320,000.00 per annum and shall be in addition to amounts payable to the City for street lighting with the Ft. Custer Industrial Park, for G.I.S. services and amounts payable by the Authority to the City for the operation, maintenance and improvement of the Battle Creek Airport; provided, however, that the implementation of the pass-through percentage or its minimum amount as set forth in this subsection VII.D.6. would be suspended for any period of time when its implementation would violate any provisions of outstanding bond covenants; and
7. Any tax increment revenue of the Authority which, at the end of any fiscal year, exceeds the sum necessary for the Authority to meet the commitments and payments as set forth above.

Section 3. Effect of Amendment. The original Plan, as amended, remains in full force and effect, except as otherwise expressly modified by this Amendment. The Amendment does not modify the boundaries of the Authority's district as defined in the Plan. All attachments are incorporated by reference.