

AMENDMENTS TO
ARTICLES OF INCORPORATION
OF
CITY OF EAST LANSING BUILDING AUTHORITY

The Articles of Incorporation of the City of East Lansing Building Authority adopted, signed and acknowledged July 21, 1966, are hereby amended as follows:

1. Article III is hereby amended to provide as follows:

ARTICLE III

This Authority is incorporated for the purpose of acquiring, constructing, furnishing, equipping, owning, improving, enlarging, operating and maintaining a building or buildings, automobile parking lots or structures and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for the use of the City of East Lansing.

2. Article IV, Section 2 is hereby amended to provide as follows:

ARTICLE IV

Section 2. The Authority and the City of East Lansing shall have the power to enter into a contract or contracts whereby the Authority will acquire property necessary to accomplish the purposes of this incorporation and as contemplated by the terms of the enabling act and to lease the same to the City of East Lansing for a period of not to exceed fifty (50) years, which contracts either may be a full faith and credit general obligation of the incorporating unit or may not be a full

faith and credit general obligation of the City of East Lansing. The contract with the City of East Lansing may also provide that the City of East Lansing shall pay all costs and expenses of operation and maintenance of the property and the operating expenses of the Authority, including expenses incidental to the issuance and payment of bonds, and such contract may provide that the obligation of the City of East Lansing thereunder for the payment of any rental required thereby shall not be subject to any set-off by the City of East Lansing or any abatement of cash rentals for any cause, including but not limited to casualty that results in the property being untenable. The City of East Lansing shall have such rights to sublet or assign property leased from the Authority as provided in the aforesaid Act 31, as now or hereafter amended.

3. Article IV, Section 4, is hereby amended to provide as follows:

Section 4. For the purpose of defraying all or part of the cost of acquiring, improving, and enlarging any building or buildings, automobile parking lots or structures, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, and furnishing and equipping the same the Authority, (a) after execution and delivery of a full faith and credit general obligation contract of lease, as provided in Act 31 of the Public Acts of Michigan (Extra Session) 1948, as amended, may by ordinance or resolution duly adopted by a majority vote of the elected members of the Commission of the

Authority issue its negotiable bonds in anticipation of the contract obligations of the City of East Lansing to make cash rental payments to the Authority and may pledge the receipts from such payments for payment of said bonds and the interest thereon;

(b) after execution of a contract of lease which is not a full faith and credit general obligation of the City of East Lansing as provided in Act 31 of the Public Acts of Michigan (Extra Session) 1948, as amended, may by ordinance or resolution duly adopted by a majority vote of the elected members of the Commission of the Authority issue its negotiable bonds in anticipation of the contract obligations of the City of East Lansing to make cash rental payments to the Authority and may pledge the receipts from such payments for payment of said bonds and the interest thereon; in both cases as provided by and subject to and in accordance with Act 31 of the Public Acts of Michigan (Extra Session) 1948, as amended. Bonds shall not be issued unless the property has been leased by the Authority to the City of East Lansing for a period extending beyond the last maturity of the bonds and no maturity shall in any event be more than forty (40) years from the date of the bonds. In addition, the Authority shall have the power to issue such other bonds as it may be authorized to issue under the general laws of the State of Michigan, said bonds to be issued in accordance with and subject to the provisions of such other laws. No bonds of the Authority shall be delivered to the purchasers thereof in any event until such time as all rights of referendum with respect to said bonds or any contract between the Authority and the City of

East Lansing shall have expired without a referendum petition being filed or, if a referendum petition is filed with respect thereto, until after an election approving said contract or the issuance of the bonds as may be required by law shall have been held and the same approved by a majority vote of the electors of the City of East Lansing voting thereon.

4. Article V, Section 3, is hereby amended to provide as follows:

ARTICLE V

Section 3. The Commission shall designate one of its members as chairperson, one of its members as secretary, and one of its members as treasurer, each to be designated for such term in office as may be fixed by the by-laws.

5. Article V, Section 6, is hereby amended to provide as follows:

Section 6. The Chairperson shall preside at meetings of the Commission and may sign and execute all authorized contracts, checks and other obligations and execute with his manual or facsimile signature bonds in the name of the Authority when so authorized by the Commission. He shall do and perform such other duties as may be fixed by the bylaws and from time to time assigned to him by the Commission. He shall have the right to propose and vote upon any action by the Commission.

6. Article V, Section 7, is hereby amended to provide as follows:

Section 7. The Secretary shall keep the minutes of all meetings of the Commission, and of all committees thereof, in

books provided for that purpose; he shall attend to the giving, serving and receiving of all notices or process of or against the Authority; he may sign with the Chairperson in the name of the Authority all authorized contracts, checks and other obligations and execute with his manual or facsimile signature bonds authorized by the Commission, and execute with his manual or facsimile signature bonds authorized by the Commission and when so ordered, he shall affix the seal of the Authority thereto; he shall have charge of all books and records, which shall at all reasonable times be open to inspection and examination of the Commission, or any member thereof, and in general perform all the duties incident to his office. The Secretary shall preside at meetings of the Commission in the absence of the Chairperson.

7. Article V, Section 8, is hereby amended to provide as follows:

Section 8. The Treasurer shall have custody of all the funds and securities of the Authority which may come into his hands or possession; when necessary or proper, he shall endorse on behalf of the Authority for collection, checks, notes and other obligations, and shall deposit them to the credit of the Authority in a designated bank or depository; he shall sign all receipts and vouchers for payment made to the Authority; he may jointly with such other officer as may be designated by the Commission, sign all authorized contracts, checks, and other obligations of the Authority and execute with his manual or facsimile signature bonds when so ordered by the Commission; he shall render a statement of his cash accounts when required by

the Commission; he shall enter regularly in the books of the Authority to be kept by him for that purpose, full and accurate accounts of all monies received and paid by him on account of the Authority, and shall at all reasonable times exhibit his books and accounts to the Commission or any member thereof when so required. He shall perform all acts incidental to the position of Treasurer fixed by the bylaws and as assigned to him from time to time by the Commission. He shall be bonded for the faithful discharge of his duties as Treasurer, the bond to be of such character, form and in such amount as the Commission may require.

8. The City Clerk shall cause a copy of these Amendments to Articles of Incorporation to be published once in The Lansing State Journal, being a newspaper circulated within the City of East Lansing, such publication to be accompanied by a notice that valid incorporation of the Authority shall be conclusively presumed unless questioned in a court of competent jurisdiction as provided in Act 31 of the Public Acts of Michigan (Extra Session) 1948, as amended.

9. These Amendments to Articles of Incorporation shall become effective and be in full force and effect upon adoption.

IN WITNESS WHEREOF, the incorporating unit has adopted and authorized to be executed these Amendments to Articles of Incorporation on behalf of City of East Lansing, Michigan, a municipal corporation of the State of Michigan, by the Mayor and the City Clerk of said City.

CITY OF EAST LANSING

By: John B. Czarnecki
Mayor
John B. Czarnecki

By: Michael V. Benedict
City Clerk
Michael V. Benedict

The foregoing Amendments to Articles of Incorporation were adopted by the City Council of the City of East Lansing, Ingham County, Michigan, at a meeting duly held on the 21st day of August, 1984.

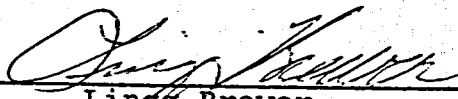
DATED: August 22, , 1984.

Michael V. Benedict
City Clerk
City of East Lansing

WJDE1-041

CERTIFICATE OF FILING BY COUNTY CLERK

I, Lingg Brewer, hereby certify that I am the County Clerk for the County of Ingham, Michigan; that attached hereto is a true and complete copy of the original printed and executed Amendments to Articles of Incorporation of the City of East Lansing Building Authority, a public corporation incorporated under the provision of Act 31, Public Acts of Michigan, 1948 (First Extra Session), as amended, which Amendments to Articles of Incorporation were filed in duplicate with me on August 22, 1984; that I did cause one printed copy of such Amendments to Articles of Incorporation to be filed with both the Secretary of State for the State of Michigan and in my office, with a copy of this certificate to each such copy; and that I did retain on file in my office one duplicate original printed and executed copy of said Amendments to Articles of Incorporation and did cause the second such copy to be filed with Gary Murphy, Secretary and Recording Officer of the City of East Lansing Building Authority.


Lingg Brewer
Clerk, County of Ingham

Dated: 8/22, 1984

WJDE1-045