

SCHOOL DISTRICT OF THE CITY OF MUSKEGON HEIGHTS

Office of the Emergency Manager

Steven M. Schiller

Order 2016-9

**BY THE POWER AND AUTHORITY VESTED IN THE EMERGENCY
MANAGER FOR THE SCHOOL DISTRICT OF THE CITY OF MUSKEGON
HEIGHTS, MICHIGAN UNDER THE LOCAL FINANCIAL STABILITY AND CHOICE
ACT, 2012 PA 436, AS AMENDED, MCL 141.1541 to 141.1575,**

**THE EMERGENCY MANAGER, STEVEN M. SCHILLER,
ISSUES THE FOLLOWING:**

**ORDER APPROVING AMENDMENT NO. 1 OF LEASE
AGREEMENT BETWEEN THE SCHOOL DISTRICT OF THE
CITY OF MUSKEGON HEIGHTS AND THE MUSKEGON
HEIGHTS PUBLIC SCHOOL ACADEMY SYSTEM**

WHEREAS, The Revised School Code, Public Act 451 of 1976, as amended, MCL 380.1 to 380.1853 (the "Code"), authorizes the governing board of a school district to be an authorizing body for a public school academy; and

WHEREAS, the School District of the City of Muskegon Heights (the "District") is currently in receivership and under the supervision of an Emergency Manager appointed for the District by the Governor of the State of Michigan (the "Emergency Manager") under the Local Financial Stability and Choice Act, Public Act 436 of 2012, as amended, MCL 141.1541 to 141.1575 (the "Act"); and

WHEREAS, the Emergency Manager has broad powers under the Act to rectify the District's financial emergency and to assure the District's fiscal accountability and capacity to provide or cause to be provided necessary governmental services essential to the public health, safety and welfare; and

WHEREAS, the Emergency Manager has been granted the authority under the Act to act for and in the place and stead of the Board of Education of the School District of the City of Muskegon Heights (the "District Board") and the Emergency Manager has the power to exercise solely, on behalf of the District, all other authority and responsibilities affecting the District that are prescribed by law to the District Board; and

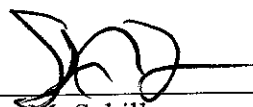
WHEREAS, the Emergency Manager wants to amend the lease agreement between the District and the Muskegon Heights Public School Academy System (the "System") dated July 9,

2012 to assure the long term provision of public educational services to residents of the District while the outstanding legacy debt of the District is repaid; and to facilitate the transition of the District out of receivership, and

NOW, THEREFORE, IT IS HEREBY ORDERED THAT, the attached contract amendment titled "Amendment No. 1 of the Lease Agreement between the School District of the City of Muskegon Heights and the Muskegon Heights Public School Academy System", is hereby approved; and

FURTHERMORE, this order may be amended, modified, repealed, or terminated by any subsequent order issued by the Emergency Manager.

Dated: October 20, 2016

By: 

Steven M. Schiller
Emergency Manager