

**Agendum  
Oakland University  
Board of Trustees Formal Session  
August 8, 2022**

**RECONVEYANCE OF SCIENCE AND TECHNOLOGY BUILDING FROM THE  
STATE OF MICHIGAN TO OAKLAND UNIVERSITY**

A Recommendation

1. **Division/Department:** Office of the Vice President for Finance and Administration.
2. **Introduction:** In 1995, Oakland University (“University”) began construction of a Science and Technology Building (the “Building”) on the University’s main campus in Rochester, Michigan. The Building is attached to the south end of both Hannah Hall of Science and the Dodge Hall of Engineering (the “Project”). The University funded the Project, in part, through a standard transaction with the State Building Authority (“SBA”).

The University deeded title to the Building and the land on which the Building is sited to the SBA; the SBA issued bonds to provide financing for the project and leased the Building back to the University; and the State of Michigan made lease payments to the SBA on behalf of the University. At all times, the University had the right to occupy and use the Building and assumed all obligations for maintenance, repair, and insurance. The lease includes a provision that when the bonds were paid in full, the SBA would deed the Building back to the University.

The structure of that transaction with the SBA was identical to the transactions used for funding the construction of O’Dowd Hall, the Science and Engineering Building, Elliott Hall, the School of Education and Human Services Building, and the Kresge Library addition, and represents the most practical means for the State of Michigan and the University to carry out their necessary governmental functions and provide necessary services to the people of Michigan at the lowest cost.

The SBA bonds have now been paid in full and the Building can now be deeded back to the University.

The SBA has prepared the following documents necessary to complete the transaction include: (1) A Resolution of the Board of Trustees of Oakland University Requesting Conveyance of Property for the Science and Technology Building and Accepting Obligations for the Facilities attached as **Exhibit A** (“Resolution”); (2) a Quitclaim Deed; and (3) a Certificate Regarding Resolution – Oakland University Science and Technology Building (“Certificate”).

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3. **Previous Board Action:** On February 2, 1995, the Board of Trustees approved the Science and Technology Building Construction Agreement, Warranty Deed and Bill of Sale, Lease and Conveyance Agreement and Easement and Party Wall Agreement.

4. **Budget Implications:** None.

5. **Educational Implications:** None.

6. **Personnel Implications:** None.

7. **University Reviews/Approvals:** The Resolution, Quitclaim Deed and Certificate comply with the State Building Authority Act, have been reviewed and approved by the University's Interim Vice President for Finance and Administration and the University's Vice President for Legal Affairs and General Counsel, and comply with the law and University policies and regulations, and conform to the legal standards of the Vice President for Legal Affairs and General Counsel.

8. **Recommendations:**

RESOLVED, that the Board of Trustees approves the Resolution attached as **Exhibit A**; and, be it further


RESOLVED, that the Board of Trustees authorizes the University's Interim Vice President for Finance and Administration to execute the Resolution, Quitclaim Deed and any other documents necessary to complete the transaction with the SBA; and, be it further

RESOLVED, that the Board of Trustees authorizes the University's Secretary to the Board of Trustees to execute the Certificate as required by the SBA.

9. **Attachment:** Resolution of the Board of Trustees of Oakland University Requesting Conveyance of Property for the Science and Technology Building and Accepting Obligations for the Facilities (**Exhibit A**).


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Submitted to the President  
on August 5, 2022 by

  
James L. Hargett, CPA  
Interim Vice President for Finance and  
Administration and Treasurer to the  
Board of Trustees

Recommended on August 5, 2022  
to the Board for approval by

  
Ora Hirsch Pescovitz, M.D.  
President

Reviewed by  
  
Joshua D. Merchant, Ph.D.  
Chief of Staff and  
Secretary to the Board of Trustees

A RESOLUTION OF THE BOARD OF TRUSTEES  
OF OAKLAND UNIVERSITY REQUESTING CONVEYANCE  
OF PROPERTY FOR THE SCIENCE AND TECHNOLOGY BUILDING AND  
ACCEPTING OBLIGATIONS FOR THE FACILITIES

A RESOLUTION of the Board of Trustees of Oakland University (the “Educational Institution”) requesting and approving the conveyance of property and to provide matters relating thereto.

WHEREAS, the State Building Authority (the “Authority”), a statutory body corporate created under provisions of 1964 PA 183, as amended, is authorized to acquire, construct, furnish, equip, own, improve, enlarge, operate, mortgage and maintain buildings, necessary parking structures or lots and facilities and sites therefore for use by the State or any of its agencies including institutions of higher education created pursuant to Sections 5, 6 and 7 of Article VIII of the Michigan Constitution of 1963; and

WHEREAS, the Educational Institution has been created and is maintained pursuant to Sections 4 and 6 of Article VIII of the Michigan Constitution of 1963; and

WHEREAS, the Authority has previously acquired the Science and Technology Building and the site upon which it was constructed (the Science and Technology Building and the site together are the “Facilities”) and the Authority leased the Facilities to the Educational Institution and the State of Michigan (the “State”) pursuant to a lease dated as of November 1, 1997, as amended (the “Lease”); and

WHEREAS, under the terms of the Lease, the Authority agreed to convey title to the Facilities to the Educational Institution upon request by the Educational Institution after the Bonds which financed the Facilities (the “Bonds” as defined in the Lease) and any additional bonds or other obligations as provided in the Lease are paid in full or provision for the payment thereof is made as provided in the Lease for consideration of one (\$1.00) Dollar and the assumption by the Educational Institution of all monetary obligations and legal responsibilities for the operation and maintenance of the Facilities; and

WHEREAS, the Bonds have been paid in full and all conditions established by the Lease as conditions precedent to conveyance of title to the Facilities by the Authority to the Educational Institution have occurred.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE EDUCATIONAL INSTITUTION THAT:

1. The Educational Institution hereby requests that the Authority convey title to the Facilities by Quitclaim Deed to the Educational Institution.

2. The consideration for the conveyance of the Facilities shall be one (\$1.00) Dollar and the assumption by the Educational Institution of all monetary obligations and legal responsibilities for the operation and maintenance of the Facilities.

3. The conveyance of the Facilities pursuant to the terms and conditions set forth above is approved and each of the Interim Vice President for Finance and Administration and the Chief of Staff of the Educational Institution is authorized and directed to execute any documents to accomplish the conveyance in such form as may be requested by the Authority and approved by counsel for the Educational Institution.

4. All ordinances, resolutions and orders or parts thereof in conflict with this resolution are, to the extent of such conflict, repealed.

5. This resolution shall be effective immediately upon its adoption.