

RESOLUTION NO. 2017-113

CITY OF CHARLOTTE

EATON COUNTY, MICHIGAN

A RESOLUTION DEEMING IT ADVISABLE AND NECESSARY TO VACATE THAT PART OF HARRIS STREET AT THE WESTERNMOST DRIVEWAY TO HAYES GREEN BEACH HOSPITAL AS DESCRIBED IN THE ORIGINAL PLAT OF CHARLOTTE, AND TO PROVIDE FOR A PUBLIC HEARING AND NOTICE THEREOF.

WHEREAS, the City Council of the City of Charlotte determines that it is advisable and necessary for the health, welfare, comfort and safety of the people of the City of Charlotte to discontinue and vacate that portion of Harris Street at the westernmost driveway to Hayes Green Beach Hospital as legally described as follows:

A parcel of land platted as Harris Street, Original Plat of Charlotte, Eaton County, Michigan, as recorded in Liber 1 of Plats, Page 67 of Eaton County Records, the surveyed boundary of said parcel described as: Commencing at the Northeast corner of Section 18, T2N, R4W; thence S89°11'25"E along the North line of said Section 18 a distance of 991.95 feet; thence S00°48'35"W perpendicular to said North line 991.45 feet to the Southwest corner of Lot 3, Robinson's Addition, City of Charlotte, Eaton County, Michigan, as recorded in Liber 1 of Plats, Page 75 of Eaton County Records; thence N00°04'30"W along the West line of said Lot 3 a distance of 13.81 feet to the point of beginning of this description; thence Northwesterly 10.45 feet along a curve to the right, said curve having a radius of 122.08 feet, a delta angle of 4°54'11", and a chord of 10.44 feet bearing N53°56'30"W; thence S89°43'42"W parallel with the South line of Block 8, of said Original Plat of Charlotte 61.57 feet; thence N00°04'30"W parallel with said West line 20.00 feet to said South line; thence N89°43'42"E along said South line 70.00 feet to said West line; thence S00°04'30"E along said West line 26.19 feet to the point of beginning; said parcel containing 1,426 square feet, more or less; said parcel subject to all easements and restrictions if any.

and;

WHEREAS, the City of Charlotte deems it advisable to reserve an easement in the above-described premises for the maintenance and repair of the sidewalk and the right-of-way and for utility purposes, including an easement over the entire vacated area for installation of cable and telecommunication systems operating under franchise or permit issued by the City and any and all existing public and quasi-public utility easements thereover or thereunder; and

WHEREAS, the City determines that there shall be a public hearing on the proposed vacation of the above-described premises and that due notice, by publication and first class mail to all abutting landowners shall be provided;

NOW, THEREFORE, BE IT RESOLVED:

1. That the City Council of the City of Charlotte deems it advisable and necessary for the health, welfare, comfort and safety of the people of the City of Charlotte to discontinue and vacate that portion of Harris Street at the westernmost driveway to Hayes Green Beach Hospital, legally described as set forth above; and

2. That a public hearing on the proposed vacation of the above-described premises shall be scheduled for December 11, 2017, in the City Council Chambers at Charlotte City Hall, 111 E. Lawrence Avenue, Charlotte, Michigan, at 7:00 p.m.; and

3. That said notice by first class mail shall be mailed to all abutting landowners and the notice of public hearing shall be published in a legal newspaper not less than ten days in a newspaper so authorized to publish said public notice.

The foregoing Resolution was moved for adoption by Council Member _____ and seconded by Council Member _____ and declared adopted by the following vote:

AYES:

NAYES:

ABSENT:

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)

:ss.

COUNTY OF EATON)

I, the undersigned, the duly qualified and acting Clerk of the City of Charlotte, County of Eaton, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Charlotte at a regularly scheduled meeting held on Monday, _____, 2017, relevant to the Michigan Open Meetings Act, the original of which is on file in my office as part of the council minutes.

IN WITNESS WHEREOF, I have hereunto set my official signature, this _____ day of _____ 2017.

Ginger Terpstra, City Clerk
City of Charlotte
Eaton County, Michigan

Approved as to Form

Thomas M. Hitch (P 25558)
City Attorney