

RESOLUTION NO. 2017-124  
CITY OF CHARLOTTE

EATON COUNTY, MICHIGAN

A RESOLUTION TO VACATE THAT PART OF HARRIS  
STREET DESCRIBED IN THE ORIGINAL PLAT OF  
CHARLOTTE.

WHEREAS, the City Council of the City of Charlotte, on November 13, 2017, adopted a resolution deeming 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, 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 maintenance and repair of the sidewalk and for 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, a notice of hearing on the proposed vacation of the above-described premises was delivered to all abutting landowners, which notice established the time and place of the public hearing as December 11, 2017, in the City Council Chambers at Charlotte City Hall, 111 East Lawrence Avenue, Charlotte, MI 48813, at 7:00 p.m.; and

WHEREAS, the public hearing on the vacation of the above-described platted alley was held on this 11<sup>th</sup> day of December 2017, in the City Council Chambers at City Hall, 111 East Lawrence Avenue, Charlotte, Michigan; and

WHEREAS, no objections were made to said vacation of the premises;

**NOW, THEREFORE, BE IT RESOLVED:**

1. That pursuant to the authority granted by the Home Rule Cities Act, being MCL 117.1, *et seq*, the Charter of the City of Charlotte, and the Subdivision Control Act, MCL 560.257, the City Council of the City of Charlotte hereby vacates and discontinues the above-described premises as a public street, subject to an easement over the entire vacated area for the maintenance and repair of the sidewalk and right-of-way for public 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 or quasi public utility easements thereover or thereunder.

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 December 11, 2017, the original of which is part of the Council minutes.

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

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

*Drafted by:*

*Thomas M. Hitch (P25558)  
Charlotte City Attorney  
601 Abbot Road  
East Lansing, MI 48823  
517/351-0280*