

RESOLUTION NO. 2017-132
CITY OF CHARLOTTE
EATON COUNTY, MICHIGAN

A RESOLUTION TO VACATE A PART OF AN ALLEY
DESCRIBED IN THE GALES ADDITION PLAT,
CHARLOTTE.

WHEREAS, the City Council of the City of Charlotte, on December 27, 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 a part of an alley in Gales Addition, legally described as follows:

That part of an alley between the north line of Lots 46 and 17, and the north line of Lot 44 of Gales Addition, on the Book of Plats, Register of Deeds, Eaton County, Michigan

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 27, 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 27 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 alley, 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 27, 2017, the original of which is part of the Council minutes.

IN WITNESS WHEREOF, I have hereunto set my official signature, this 27th day of December 2017.

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*