

Resolution #2019-33

A RESOLUTION TO ABANDON THE RIGHT OF WAY ADJACENT TO THE INTERSECTION OF S. ANN ST. AND W. ASH ST

Purpose and Finding: As the council is already aware, the City previously authorized the abandonment of the right of way that presently is adjacent to S. Ann St. and West Ash St. to the adjacent property owner, Eric Tobin. A public hearing was held on October 15, 2018. Mr. Tobin has obtained the required survey of the property and provided a legal description. This resolution is necessary only for recordation purposes. Please note that the resolution is formatted with a larger margin at the top for purposes of recordation. Approval is recommended.

Council Member Reid moved, supported by Council Member Clark, to approve the following resolution.

WHEREAS, the City has received a request to abandon the right of way described herein; and

WHEREAS, the request has been reviewed by the City and its administrative departments; and

WHEREAS, the City finds it is consistent with maintaining the health, safety, comfort, and welfare of the City to discontinue the use of the right of way; and

WHEREAS, the City previously approved the abandoning of the right of way at a council meeting on September 4, 2018; and

WHEREAS, a public hearing was held on October 15, 2018 regarding the abandoning of the right of way;

WHEREAS, the City deems it advisable to vacate, discontinue, and abolish the right of way described herein;

NOW THEREFORE BE IT RESOLVED, that the right of way described as:

BEGINNING AT THE NORTHWEST CORNER OF LOT 3, BLOCK 91, "WARNER AND CHURCH'S ADDITION TO THE VILLAGE OF ALBION", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN LIBER 2 OF PLATS, ON PAGE 41, IN THE OFFICE OF THE REGISTER OF DEEDS FOR CALHOUN COUNTY, MICHIGAN; THENCE NORTH 89°35'19" WEST, 64.25 FEET ALONG THE WESTERLY EXTENSION OF THE SOUTH LINE OF WEST ASH STREET TO THE EAST LINE OF DALRYMPLE SCHOOL LANDS, AS RECORDED IN LIBER 4274 OF DEEDS, ON PAGE 324; THENCE SOUTH 02°27'04" EAST, 107.19 FEET ALONG SAID EAST LINE OF DALRYMPLE SCHOOL LANDS; THENCE SOUTH 89°35'19" EAST, 59.07 FEET; THENCE NORTH 00°19'10" EAST, 107.06 FEET ALONG THE WEST LINE OF SAID BLOCK 91 TO THE PLACE OF BEGINNING. CONTAINING 0.15 ACRES OF LAND. MORE OR LESS.

is hereby abandoned, discontinued, and vacated by the City of Albion.

BE IT FURTHER RESOLVED, that the abandonment of the right of way shall be effective upon the recording of this resolution with the Calhoun County Register of Deeds.

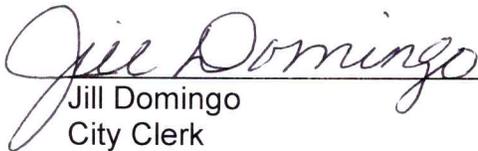
Date: October 21, 2019

Ayes: 5

Nays: 0

Absent: 2 (Brawn & Spicer)

I certify that this resolution was adopted by the City Council of the City of Albion on October 21, 2019.



Jill Domingo
City Clerk

Drafted by and when recorded return to:

Cullen C. Harkness
Albion City Attorney
4121 Okemos Rd., Suite 17
Okemos, MI 48864