

RESOLUTION NO. 17-19

**CITY OF ST. CLAIR
COUNTY OF ST. CLAIR, MICHIGAN**

**RESOLUTION TO VACATE RUFF STREET SOUTH OF VINE AND THE WEST 234 FEET OF
ORCHARD STREET-WEST OF N. CARNEY DRIVE**

WHEREAS, the City of St. Clair has received a request to vacate Ruff street and the west 234 feet of Orchard Street which is located in Assessor's Ruff Plat, in the City of St. Clair, County of St. Clair, State of Michigan, and,

WHEREAS, pursuant to Act No. 288 of the Public Acts of 196, as amended, being the Subdivision Control Act of 1967, the City of St. Clair is empowered to vacate by resolution or ordinance streets, alley or rights-of-way, and,

WHEREAS, the City Council of the City of St. Clair has held a Public Hearing on October 2, 2017 relative to the request and proposal to vacate Ruff Street (south of Vine) and the west 234 feet of Orchard Street (west of N. Carney Drive). Public hearing was noticed as: RUFF STREET SOUTH OF VINE AND THE WEST 234 FEET OF ORCHARD STREET (WEST OF N. CARNEY DRIVE) IN THE ASSESSOR'S RUFF PLAT IN THE CITY OF ST. CLAIR,

WHEREAS, the adjacent property owners have been notified of the said request and proposal and have been afforded an opportunity to comment upon and to be heard relative to such request and proposal,

WHEREAS, the City Council of the City of St. Clair deems it appropriate to vacate Ruff Street and the west 234 feet of Orchard Street which is located in the Assessor's Ruff plat in the City of St. Clair.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ST. CLAIR, COUNTY OF ST. CLAIR, STATE OF MICHIGAN, AS FOLLOWS:

1. That the City Council of the City of St. Clair hereby vacates Ruff Street (south of Vine Street) and the west 234 feet of Orchard Street (west of N. Carney Drive), St. Clair, Michigan.
2. That the City Council of the City of St. Clair does hereby reserve and retain a full width easement in the subject street, alley, right-of-way and/or other public places for public utility purposes and other public and municipal purposes within the street, alley, right-of-way and/or other public land vacated pursuant to the within resolution. Said easement being reserved and retained by the City of St. Clair, County of St. Clair, State of Michigan.
3. That all existing easements and utility uses and rights within the area vacated shall remain for the use and enjoyment of the owners of said easements and utility uses and rights. The same shall not be diminished or otherwise affected by this resolution.

4. That, subject to the easement reserved and retained by the City of St. Clair herein and to the other provisions of this Resolution that Ruff street (70 feet wide) will be split in half with the west 35 feet being attached to Lot 7 and the east 35 feet be attached to lots 8 and 37. The division of Orchard street would be divided so existing lot lines of 37, 36 and 35 be extended south by 60 feet. Parcel numbers affected are 100-010-111, 100-0009-000, 100-0008-000 and 100-0007-000.
5. That the City Clerk of the City of St. Clair shall, within thirty (30) days after the date of adoption of the within Resolution, record a certified copy of the within Resolution with the St. Clair County Register of Deeds and that the within Resolution shall not have force or effect until so recorded with the St. Clair County Register of Deeds.
6. That the City Clerk of the City of St. Clair shall send a certified copy of the within Resolution to the State Treasurer of the State of Michigan within thirty (30) days after the date of adoption of the within Resolution.

RESOLUTION DECLARED ADOPTED

William Cedar, Jr., Mayor
City of St. Clair, Michigan

CERTIFICATION

The foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of St. Clair, County of St. Clair, State of Michigan, at a regular meeting held on the 2nd day of October 2017, and public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 267 of the Public Acts of 1976, as amended, being the Open Meetings Act, and the Minutes of said meeting have been or will be made available as required by said Act.

Members Present: Mayor Cedar, Kindsvater, Klieman, Kuffa, LaPorte, McCartney
Members Absent: Member Ellery

It was moved by Member McCartney and supported by Member Kuffa to adopt the Resolution.

Members voting yes: Kuffa, LaPorte, McCartney, Kindsvater, Klieman, Cedar
Members voting no: None

The Resolution was declared adopted by the Mayor and has been recorded in the Resolution Book.

Annette Sturdy, City Clerk
City of St. Clair, Michigan