

RESOLUTION NO. 16-14

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

RESOLUTION TO VACATE THE ALLEY NORTH OF ROYAL STREET BETWEEN NORTH FIFTH STREET AND NORTH SIXTH STREET

WHEREAS, the City of St. Clair has received a request to vacate the alley located off Royal Street between North Fifth Street and North Sixth Street 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 December 19, 2016 relative to the request and proposal to vacate a portion of the alley located off Royal Street between North Fifth Street and North Sixth Street. Public hearing was noticed as: ALLEY ADJACENT TO LOTS 6 AND 7 BLOCK 1 IN THE LIEBERMANN AND BAIRD ADDITION TO 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 the alley located North of Royal Street between North Fifth Street and North Sixth Street 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 that portion of the alley located North of Royal Street between North Fifth Street and North Sixth Street (adjacent to lots 6 and 7 Block 1 in the Liebermann and Baird Addition to the City of St. Clair), 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 the property owners adjacent to lots 6 and 7 Block 1 in the Liebermann and Baird Addition to the City of St. Clair, whose property addresses are known as 603 N. Fifth Street (74-07-470-0007-000) and 702 N. Sixth Street (74-07-470-0006-000) shall be granted possession and ownership of equal feet of the vacated alley.
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 19th day of December 2016, 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: Cedar, Ellery, Foley, Kindsvater, Kuffa, LaPorte, McCartney

Members Absent: None

It was moved by Member LaPorte and supported by Member Kindsvater to adopt the Resolution.

Members voting yes: Kuffa, LaPorte, McCartney, Ellery, Foley, Kindsvater, 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