

**RESOLUTION NO 19-25**

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

**RESOLUTION TO VACATE PINE STREET EAST OF S. FIFTH STREET TO THE  
PINE RIVER**

**A RESOLUTION** of the City Council of the City of St. Clair adopted at a regular meeting of said Council held at City Hall located at 547 N. Carney Drive, St. Clair, Michigan, on the 24th day of October, 2019 at 5:00 PM.

**WHEREAS**, the City of St. Clair has received a request to vacate Pine Street east of S. Fifth Street to the Pine River, which is located 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, alleys, or rights-of-way; and,

**WHEREAS**, the City Council of the City of St. Clair held a Public Hearing on October 7, 2019 concerning the request to vacate Pine Street east of S. Fifth Street to the Pine River; and,

**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,

**WHEREAS**, the City Council of the City of St. Clair determines it is in the best interest of the City to vacate Pine Street east of S. Fifth Street and the Pine River;

**NOW, THEREFORE**, it is hereby **RESOLVED** by the City Council of St. Clair, County of St. Clair, State of Michigan, as follows:

1. That the St. Clair City Council hereby vacates Pine Street east of S. Fifth Street and the Pine River, legally described as property within the City of St. Clair, County of St. Clair, State of Michigan, to wit: Pine Street east of S. Fifth Street.
2. That the St. Clair City Council 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 municipal purposes within the street, alley, right-of-way and/or other public land vacated pursuant to this Resolution, said easement being reserved and retained by the City of St. Clair, County of St. Clair, St. 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 the City Clerk shall record a certified copy of this Resolution at the Clair County Register of Deeds within thirty (30) days after its adoption, and that this Resolution shall not have force or effect until so recorded with the St. Clair County Register of Deeds.
5. That the City Clerk shall send a certified copy of this Resolution to the Treasurer of the State of Michigan within thirty (30) days after its adoption.

#### **RESOLUTION DECLARED ADOPTED**

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Bill 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 in the City of St. Clair, St. Clair County, Michigan at a regular meeting held on the 24<sup>th</sup> day of October, 2019. Public Notice of the meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of 1976, and the Minutes of said meeting were kept and will be or have been made available as required by said Act.

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

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

Members Voting Yes: Ellery, Kindsvater, Kuffa, LaPorte, McCartney, Cedar  
Members Voting No: None

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

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