

RESOLUTION NO 20-23

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

A RESOLUTION AUTHORIZING ADMINISTRATION TO CONSENT TO RELIEF SOUGHT BY THE EAST CHINA SCHOOL DISTRICT IN ITS FIRST AMENDED COMPLAINT CONCERNING THE PLAT AMENDMENT ASSOCIATED WITH THE VACATION OF CERTAIN STREETS AND ALLEYS ON THE GEARING ELEMENTARY SCHOOL PROPERTY.

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 21st day of December, 2020 at 7:00 PM.

WHEREAS, the East China School District (“ECSD”) has filed a First Amended Complaint to amend the plat that includes Gearing Elementary School, as reported by its Attorney T. Allen Francis at the time of the October 19, 2020 regular meeting; and,

WHEREAS, the matter has been assigned to the Hon. Michael L. West and bears Case No. 20-1698-CH; and,

WHEREAS, the City of St. Clair has been named as a Defendant pursuant to MCL Section 560.224a, as it must by law; and,

WHEREAS, the ECSD has sought the City’s concurrence in a stipulation and proposed order entitled “Consent Agreement” that gives the City’s approval to the relief sought by the ECSD and relieves the City from any further response to the lawsuit; and,

WHEREAS, City administration has previously consulted with the Attorney and the Engineer and has determined that the ECSD’s proposed vacation is in the best interest of the City;

NOW, THEREFORE, it is hereby **RESOLVED** by the City Council of St. Clair, County of St. Clair, State of Michigan, to authorize City Superintendent Warren J. Rothe to execute the proposed Consent Agreement requested by the East China School District in connection with the above-referenced matter.

RESOLUTION DECLARED ADOPTED

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 21st day of December, 2020. 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: Cedar, Ellery, Kindsvater, Kuffa, LaPorte, McCartney, Watt
Members Absent: None

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

Members Voting Yes: Kuffa, LaPorte, McCartney, Watt, Ellery, 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