

Part I

MAP OF THE VILLAGE OF NEWAYGO NEWAYGO COUNTY MICHIGAN

Received for Record August 1st 1854
at 10 o'clock P. M.

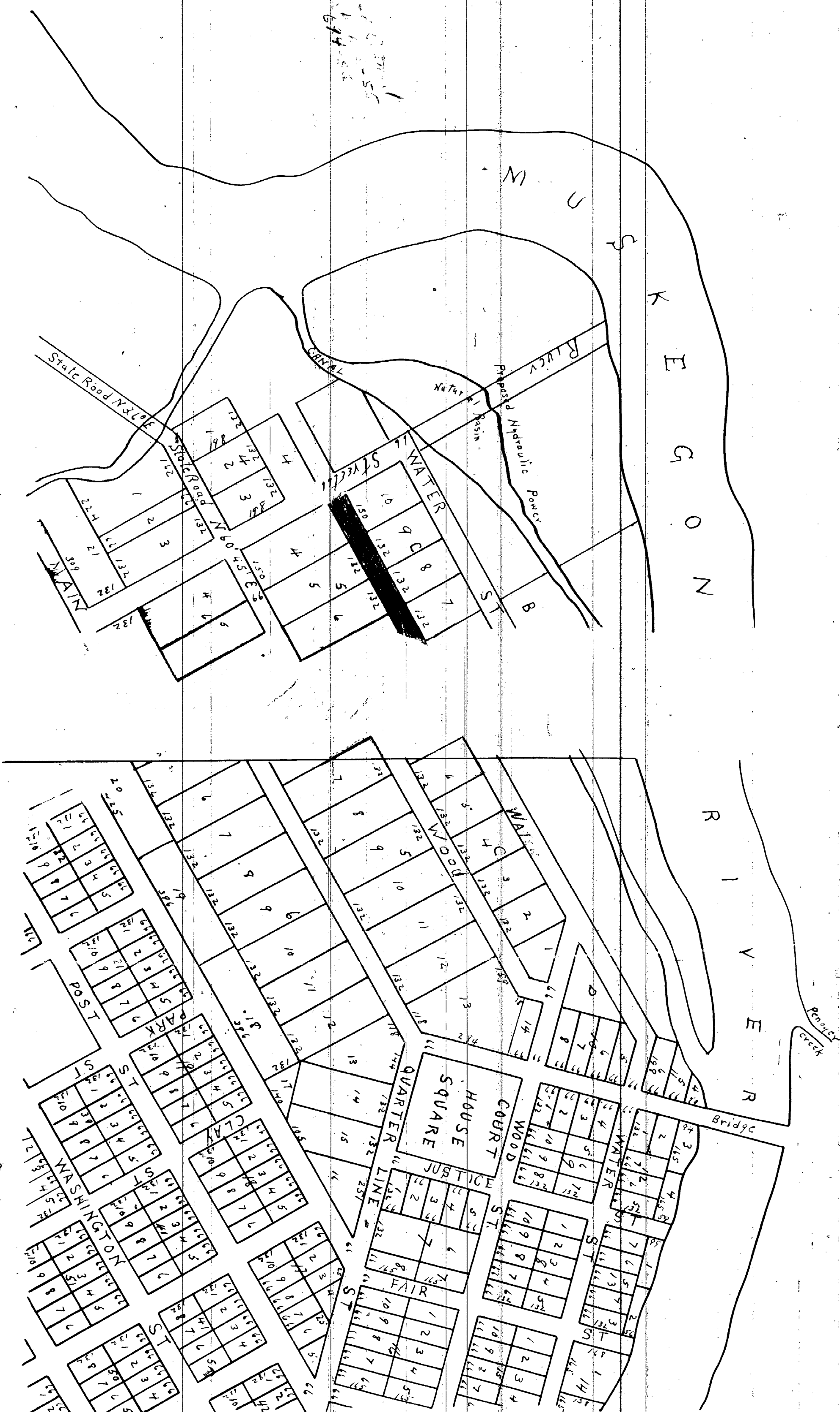
J. H. Standish
Deputy to Register

We the undersigned Clerks and proprietors of lands in sections sixteen and twenty four in township
number twelve north of Range number twelve and section west of the principal Meridian of Michigan do hereby
certify and declare that we have arranged and caused to be plotted into lots and blocks streets and alleys a certain portion of our
property situated in the aforesaid section designating the same as follows of Newaygo and that the several lots blocks and sub-
divisions are situated on streets and alleys as therein represented that the same and having of the several streets as laid down and
marked thereon together with their several widths that all the several streets and alleys marked thereon are and have been represented
and that the streets and alleys of the width and direction represented in said plat
are substantially as now known and used in the fifth day of March A.D. 1855 signed sealed and
delivered in presence of

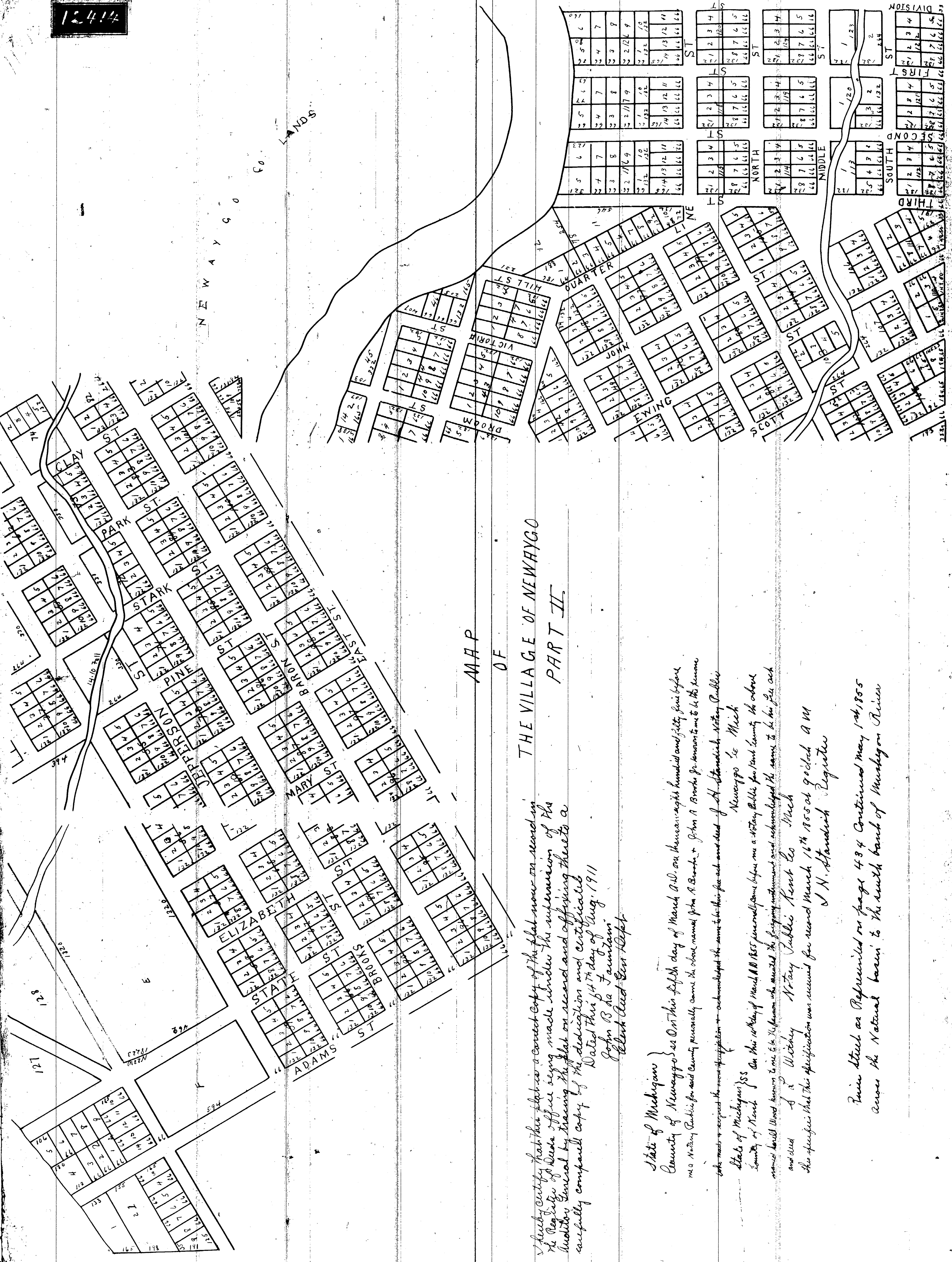
J. M. Standish
J. H. Standish

J. F. Withy for David Wood

John A. Brown (read)
John A. Brown Jr (read)
David Wood (read)



12414



I hereby certify that this plat is a correct copy of the plat now on record in the Register of Deeds office saying made under the supervision of the Auditor General by tracing the plat on record and affixing thereto a carefully compared copy of the dedication and certification.
Dated this 14th day of Aug. 1911
John B. de Fournier
Clerk and Ex. Secy

State of Michigan }
County of Newhago } On this fifth day of March A.D. one thousand eight hundred and fifty five before me a Notary Public for said County personally came the above named John A. Brooks & John A. Brooks Jr. known to me to be the persons who made & signed the foregoing instrument & acknowledged the same to be their free act and deed of their own free will and volition.
State of Michigan }
County of Newhago } On this 14th day of March A.D. 1855 personally came before me a Notary Public for said County the above named John A. Brooks & John A. Brooks Jr. known to me to be the persons who made & signed the foregoing instrument and acknowledged the same to be their free act and deed of their own free will and volition.
This specifies that this specification was secured for record March 16th 1855 at 9 o'clock A.M.
J. N. Standish Register

Run Street as Represented on page 434 Continued May 14, 1855
Across the Natural basin to the south bank of Muskegon River

CLARY, NANTZ, WOOD, HOFFIUS
RANKIN & COOPER
ATTORNEYS AT LAW

500 CALDER PLAZA
250 MONROE AVENUE, N.W.
GRAND RAPIDS, MICHIGAN 49503-2244
TELEPHONE 616-450-5467
TELEFAX 616-450-5181

September 23, 1994

MI Dept. of Commerce
Subdivision Control & County
Zoning Unit
Hollister Building
116 W. Allegan
Lansing, MI 48922

Dear Sir/Madam:

We have enclosed a Resolution Vacating a Portion of South Park Avenue located in the City of Newaygo (Newaygo County), Michigan. The Resolution is being filed with your office pursuant to the Subdivision Control Act.

Please call me if you have any questions about the enclosed.

Very truly yours,

CLARY, NANTZ, WOOD, HOFFIUS
RANKIN & COOPER

Philip G. Henderson
Philip G. Henderson

PGH/slm.150755
Enclosure

RESOLUTION 94-42

CITY OF NEWAYGO
NEWAYGO COUNTY, MICHIGAN

A RESOLUTION VACATING A
PORTION OF SOUTH PARK AVENUE

Minutes of a regular meeting of the City Council of the City of Newaygo, County of Newaygo, Michigan, held in the City Hall in said City on JUNE 27, 1994, at 7:00 p.m., local time.

PRESENT: Councilmembers KOWALSKI, SZAROWICZ, CLARK, ADAMA, GRACIA,

CHAMBERS AND SELZER

ABSENT: Councilmembers NONE

The following preamble and resolution were offered by Councilmembers SELZER, and supported by Councilmember CHAMBERS:

WHEREAS, the City is attempting to assemble real property of sufficient size to enable it to acquire and construct facilities for occupancy by Donnelly Corporation in order to prevent any deterioration of tax base, enhance tax base, prevent loss of jobs, assure the retention of jobs and increase jobs available within the City of Newaygo (the "Project"); and

WHEREAS, a portion of South Park Avenue, which is legally described on Exhibit A, lies within the area proposed to be assembled; and

WHEREAS, the City proposes to relocate that portion of South Park Avenue to assure continuity of traffic flow; and

WHEREAS, having now discussed the matter with the owners of property abutting that portion of South Park Avenue, City officials have been informed that there are no objections to the vacation of that portion of South Park Avenue; and

WHEREAS, that portion of South Park Avenue currently serves no useful purpose to the City and there are not plans to develop it so as to have it serve any useful purpose; and

WHEREAS, Michigan law provides that the City may vacate streets and alleys under its jurisdiction by adoption and recording of a resolution of vacation.

0391X(94)139703

MEMBER OF COMMERCIAL LAW AFFILIATES - A WORLDWIDE NETWORK OF LAW FIRMS

CERTIFICATION

I hereby certify that the above is a true and complete copy of a resolution passed by the City Council of the City of Newaygo, County of Newaygo, Michigan, at a regular meeting held on 1994 and that public notice of such meeting was given pursuant to and in compliance with Act 267 of the Public Acts of Michigan of 1976, as amended.

Charlene Corrigan
Charlene Corrigan City Clerk

EXHIBIT A

THAT PART OF THE NORTHWEST 1/4 OF SECTION 30, T12N, R12W, CITY OF NEWAYGO, NEWAYGO COUNTY, MICHIGAN, DESCRIBED AS COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 30; THENCE ALONG THE WEST SECTION LINE NORTH 0°23'36" EAST 2052.45 FEET; THENCE LEAVING SAID SECTION LINE NORTH 55°50'03" EAST 789.31 FEET; THENCE SOUTH 71°31'20" EAST 89.01 FEET; THENCE SOUTH 68°34'05" EAST 759.64 FEET; THENCE NORTH 45°36'45" EAST 654.06 FEET TO THE POINT OF BEGINNING; THENCE NORTH 45°36'45" EAST 479.94 FEET; THENCE NORTH 75°36'45" EAST 111.01 FEET; THENCE 94.25 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 180.00 FEET, A DELTA OF 30°00'00" AND A LONG CHORD BEARING NORTH 60°36'45" EAST 93.17 FEET; THENCE SOUTH 45°36'45" WEST 463.10 FEET; THENCE 320.39 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 400.00 FEET, A DELTA OF 45°53'33" AND A LONG CHORD BEARING SOUTH 22°39'59" WEST 311.89 FEET; THENCE SOUTH 0°16'48" EAST 764.50 FEET; THENCE 141.01 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 180.00 FEET, A DELTA OF 44°53'11" AND A LONG CHORD BEARING NORTH 22°43'24" WEST 137.44 FEET; THENCE NORTH 45°09'59" WEST 38.77 FEET; THENCE NORTH 0°15'43" WEST 813.11 FEET TO THE POINT OF BEGINNING. CONTAINING 2.61 ACRES, MORE OR LESS, AND SUBJECT TO ANY RESTRICTIONS OR EASEMENTS OF RECORD.

NOW, THEREFORE, BE IT RESOLVED THAT:

- That portion of South Park Avenue described in the attached Exhibit A is hereby vacated.
- All existing utility easements running over, under and through the vacated Avenue are hereby reserved from this vacation and are preserved. There are also reserved and preserved utility easements running 15 feet either side of the centerline of existing utility lines within the area vacated.
- The City Clerk shall, within 30 days of the date of this resolution, record a certified copy of this resolution with the Register of Deeds for Newaygo County and shall send a copy to the state treasurer of the State of Michigan.
- All resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

YEAS: Councilmembers KOWALSKI, SZAROWICZ, CLARK, ADAMA, GRACIA,

CHAMBERS AND SELZER

NAYS: Councilmembers NONE

ABSENT: Councilmembers NONE

RESOLUTION DECLARED ADOPTED.

Charlene Corrigan
Charlene Corrigan City Clerk

PREPARED BY AND WHEN
RECORDED RETURN TO:
Philip G. Henderson
CLARY, NANTZ, WOOD, HOFFIUS
RANKIN & COOPER
500 Calder Plaza
250 Monroe, N.W.
Grand Rapids, MI 49503

0391X(94)139703

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A-1



24 X

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF NEWAYGO

IN THE MATTER OF THE PETITION OF THE)
FIRST CONGREGATIONAL CHURCH OF)
NEWAYGO, MICHIGAN (UNITED CHURCH OF)
CHRIST), ET AL, FOR VACATION OF A)
PART OF THE ORIGINAL PLAT OF THE)
VILLAGE OF NEWAYGO, NEWAYGO COUNTY,)
MICHIGAN,)

Petitioners,)

-vs-)
ORDER)
BILLIE S. FARMER, Auditor General of)
the State of Michigan, the VILLAGE)
OF NEWAYGO, CONSUMERS POWER COMPANY,)
and MICHIGAN CONSOLIDATED GAS)
COMPANY,)

Defendants.)

At a session of said Court, held at the Courthouse in the City of White Cloud, in said county, on the 17th day of June, 1964.

PRESENT: HONORABLE HAROLD VAN DOREN, CIRCUIT JUDGE.

In this cause, petitioners having filed a petition praying for the vacation of portions of streets in the Plat of the Village of Newaygo, as described following, to-wit:

FIRST STREET, between the South line of Quarterline Street and the North line of Middle Street.

NORTH and MIDDLE STREETS, between the East line of Second Street, and the West line of Division Street;

and the Court having examined the file and having found that all the requirements of the statute of the State of Michigan, relative to the service, publication and posting of notices have been complied with, and that this Court, by virtue thereof has jurisdiction to hear said petition and that no one has objected or appeared in opposition thereto, and after hearing the proofs finds as follows:

That the portions of said streets, situated in the original plat of the

Village of Newaygo, Newaygo County, Michigan, to-wit:

FIRST STREET, between the South line of Quarterline Street and the North line of Middle Street.

NORTH AND MIDDLE STREETS, between the East line of Second Street, and the West line of Division Street;

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To M. Lucile Murray, of 8045 South Walcott, Chicago, Illinois:

The North Half of Middle Street, lying contiguous to Block 124; the East Half of First Street from the center of Middle Street North to a point 114 feet South of the North line of Block 124.

Further, it appearing that the Village of Newaygo owns the lands south of the portion of Middle Street now closed, it is therefore ORDERED that title to the following portions of the streets vacated be vested in the Village of Newaygo, a municipal corporation of the State of Michigan, viz:
The South Half of Middle Street, between Second and Division Streets.

It is further ORDERED that this proceeding be recorded, by the Clerk of this Court and that applicant, shall, within six (6) months hereafter record a certified copy of the order in the Office of the Register of Deeds of Newaygo County, Michigan.

It is further ORDERED that within thirty (30) days hereafter, the Clerk of this Court shall forward to the Auditor General of the State of Michigan, a certified copy of this Order.

Countersigned:

Harold Van Doren
Clerk

STATE OF MICHIGAN) ss.
County of Newaygo)

Harwell L. Jordan
I, HARRY JORDAN, Clerk of the Circuit Court for the County of Newaygo,

do hereby certify that I have compared the foregoing Order with the original thereof, and that it is a true transcript thereof and of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court, at the City of White Cloud, this 17th day of June, 1964.

Harold Van Doren
Clerk

Michael D. Jordan
Deputy Clerk

has never been opened, improved, used or controlled by the public, or any persons other than the owners of the abutting lands, who are petitioners herein, since the date of dedication, the 16th day of March, 1855, that the said portions of streets have never been accepted by the expenditure of public funds thereon, that the topography of land, over which the described streets are platted would render the construction of a roadway over the same an impracticable task, and further that no individual person or member of the public would, in any manner be injured by the proposed closing of said described streets, and that no reasonable objection has been made or exists to the closing of said portions of streets, as described, and the allegations contained in the petition filed herein are sustained by the proofs and that petitioners are entitled to the relief therein prayed.

THEREFORE, on motion of Russell L. Shepherd, Attorney for Petitioners, it is ORDERED:

That the original plat of the Village of Newaygo, Newaygo County, Michigan, insofar as the said plat relates to the following described portion of streets, to-wit:

FIRST STREET, between the South line of Quarter line, and the North line of Middle Street; and
NORTH and MIDDLE STREETS, between the East line of Second Street, and the West line of Division Street;

be, and the same hereby is vacated.

It is further ORDERED, that the title to the above described portions of streets, as vacated herein, is hereby declared and decreed to be vested in petitioners, as follows:

To First Congregational Church (United Church of Christ), Newaygo, Michigan:

All of North Street, between Blocks 118 and 119; the North Half of Middle Street, lying contiguous to Block 119; and the West Half of First Street between the center of Middle Street and the South line of Quarterline Street.

To The O & A Electric Cooperative, Newaygo, Michigan:

The East Half of First Street, running from Quarterline South to a point 114 feet South of the North line of Block 124; and all of North Street between Blocks 124 and 125.

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