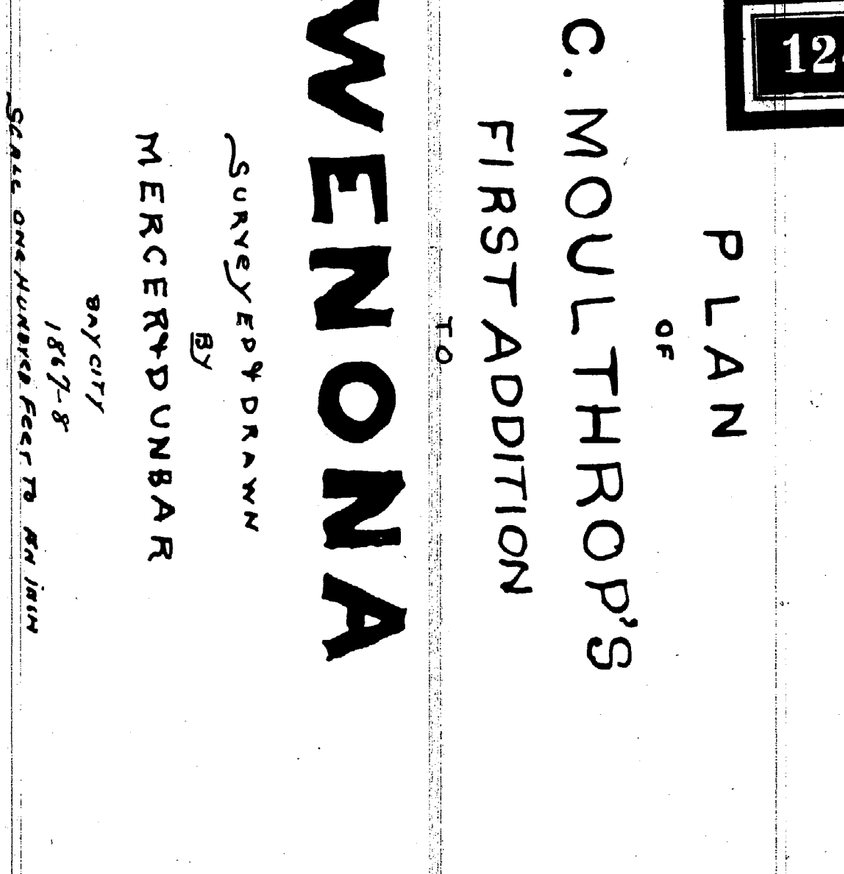
12438

PLAN OF C. MOULTHROP'S FIRST ADDITION TO WENONA

SURVEYED & DRAWN BY MERCER & DUNBAR

BAY CITY 1867-8

SCALE ONE HUNDRED FEET TO AN INCH



DESCRIPTION OF PLAT.

The within Plat of C. Moulthrop's first addition to Wenona comprises the south part of the E½ of E½ of the SW¼ of Sec. 20 in Town 14 N. of Range 5 East said land being more particularly described as follows. Commencing at the south east corner of the said west quarter of said section 20 and running thence southerly on the East line of said South West quarter seven hundred and one feet + 1/100 of a foot Thence Westerly parallel with the North line of said South West quarter ~~of Section~~ to the West line of the East half of the South West quarter of said Sec. 20. Thence Northerly on the west line of said East half of East half to the Northwest angle of the same. Thence Easterly on the north line of said E½ of E½ to the place of beginning.

AFFIDAVIT OF PROPRIETOR

Know all men by these present that I. Clark Moulthrop of Bay City Michigan am the proprietor of the land contained and described in the within Plat. that I caused said land to be surveyed and said map or Plat to be made by Mercer & Dunbar. Civil Engineers and surveyors of Bay City Michigan for the purpose of laying out said land into a Village Plat Called C. Moulthrop's First addition to Wenona. under and by virtue of the provision of Chapter 28 of the Compiled laws of the State of Michigan and the Amendments thereto now in force. And I extend the same for the purposes and uses therein and in said map or Plat named, expressed and intended and for no other use or purpose Whatever and that the same is my free act and deed. the testimony whereof I have hereunto set my hand and seal. this 17th day of July. A.D. 1868 Clark. Moulthrop. (L.S.)

Signed & Sealed in presence of. R. B. Taylor. W. J. Wands.

State of Michigan } ss. On this 17th of July 1868. before me a Notary Public in and for said County personally appeared. Clark. Moulthrop known to me to be the same person. who signed the above and within Plat. and acknowledged that he executed the same. and the proprietor of the land described in the within Plat. and in said plat as map named expressed & intended and for no other use or purpose Whatever and that the same is his free act and deed. and the said Clark. Moulthrop further acknowledged that he is the proprietor of the land described in the within Plat. That he caused a survey of the land described in said map or plat to be made and said map or Plat to be drawn. by Mercer & Dunbar. Civil Engineers and surveyors of Bay City Michigan for the purpose of laying out said land into a Village Plat. Called. C. Moulthrop's First addition to Wenona. by virtue of the Provision of Chapter 28 of the Compiled laws of the State of Michigan and the Acts amendatory thereof and that he hereby adopts said map recorded herewith as and for his Village Plat. and that he hereby sets my hand and affixes seal this 17th day of July. 1868.

(SEAL) R. B. Taylor. Notary Public. Bay Co.

AFFIDAVIT OF SURVEYOR

Know all men by these presents that we Wm. Mercer and Chester L. Dunbar Civil Engineers and Surveyors of Bay City Michigan on the application and request of C. Clark. Moulthrop proprietor of the land described in the within Plat of C. Moulthrop's First addition to Wenona did on the 7th day of Sept. 1867. survey the land described in the within Plat. The Minutes and particulars of which survey are given and stated in said map or Plat. and on such request and application we did on the 7th day of July. 1868. make the said map or Plat and also of the lines and statements therein contained and that the same was made by us for the purpose and uses therein named, expressed and intended and for no other use or purpose Whatever and that the same is our free act and deed. and that the said map is correct to the best of our knowledge and belief. the testimony whereof we have hereunto set our hands and seals. this 10th day of July 1868.

William Mercer (L.S.)
Chester L. Dunbar (L.S.)

In presence of W. J. Campbell. R. B. Taylor.

State of Michigan } ss. On this 10th day of July 1868. before me a Notary Public in and for said County personally appeared. Wm. Mercer and Chester L. Dunbar. known to me to be the same persons. Who signed and executed the same. and acknowledged that they executed the same for the purposes and uses therein and in said map named expressed and intended. and for no other use or purpose Whatever and that the same was their free act and deed and the said Wm. Mercer and Chester L. Dunbar. further acknowledged that they are Civil Engineers and surveyors. and that they made such map or plat to be such Civil Engineers and surveyors. and I further certify that I know said Wm. Mercer & Chester L. Dunbar to be such Civil Engineers and surveyors. the testimony whereof I have hereunto set my hand and affixed seal this 10th day of July. 1868.

(SEAL) R. B. Taylor. Notary Public. Bay County.

Register's Office, Bay County } Filed and recorded this 17th day of July. A.D. 1868 at 8 o'clock A.M.

Ransom. P. Esser. Dep Register

CLK-3c

LIBER 1097 PAGE 120 4730A 10/26/88 01:46P

CITY OF BAY CITY, MICH.

12438

OFFICE OF CITY CLERK

(AFFIDAVIT)

STATE OF MICHIGAN
COUNTY OF BAY
CITY OF BAY CITY

I, Connie M. Deford Clerk of the City of Bay City, County and State aforesaid, Do hereby Certify, that I have compared the annexed excerpt from the regular meeting of the City Commission of the City of Bay City held October 3, 1988 with the original on file in my office and that it is a true and correct transcript therefrom and of the whole of such original.

In Witness Whereof, I have hereunto set my hand affixed the Corporate Seal of the City of Bay City, Mich., this 17th day of October 19 88

Connie M. Deford City Clerk

RECORDED
Oct 26 2 39 PM '88
REGISTER OF DEEDS
BAY COUNTY, MICH.

SPECIAL ORDER

Of the City Manager and Planning Director:

It Is Recommended that the following resolution regarding the vacation of the easterly twenty (20) feet of Warner Avenue (formerly known as Park Avenue) be approved;

Whereas, the Bay City Planning Commission at its meeting on Wednesday, July 20, 1988, considered its own recommendation to vacate the easterly twenty (20) feet of Warner Avenue (formerly known as Park Avenue), beginning 125.01 feet south of the south right-of-way line of John Street to the north right-of-way line of Jane Street and also the easterly twenty (20) feet of Warner between the south line of Jane Street and the north line of Jenny Street; and,

Whereas, said twenty (20) feet has been assumed by abutting property owners and many other agencies to have been vacated around the turn of the century; and,

Whereas, no written record is available to substantiate said vacation; and,

Whereas, said twenty (20) feet is not needed as a part of the street right-of-way; and

Whereas, it is the recommendation of the Bay City Planning Commission to vacate the aforementioned portion of Warner Street; and,

Whereas, a resolution was adopted on August 15, 1988 ordering publication of notices and the holding of a hearing, said notices having been published in The Bay City Democrat, the official newspaper of the City of Bay City, on September 1, 8, 15, and 22, 1988, relative to the aforementioned hearing, and certified notices thereof having been mailed to the public utilities and abutting property owners; and,

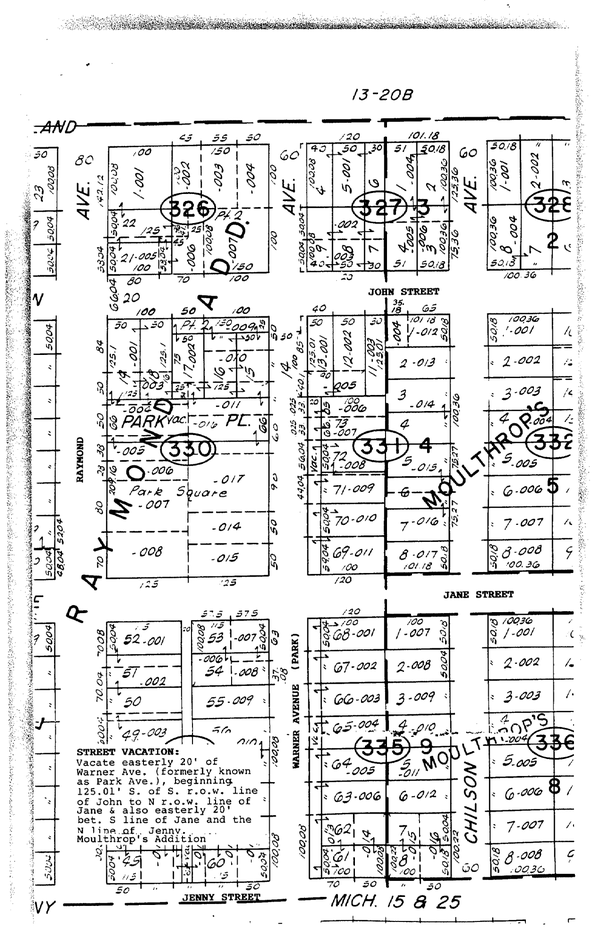
Whereas, a public hearing was held on October 3, 1988 relative to the aforementioned recommendation for vacation,

Now Therefore, Be It Resolved And Ordered by the City Commission that the easterly twenty (20) feet of Warner Avenue (formerly known as Park Avenue), beginning 125.01 feet south of the south right-of-way line of John Street to the north right-of-way line of Jane Street and also the easterly twenty (20) feet of Warner Avenue between the south line of Jane Street and the north line of Jenny Street, is hereby closed and vacated; provided that such street is vacated upon the conditions that the title to all gas, electric and communication poles, wires, pipes, conduits, cables, appurtenances and facilities now in, under or over said street is reserved to and shall remain in the respective owners thereof, together with the Easement and rights to occupy said street within the rights-of-way thereof for public utility purposes with present and additional facilities and to operate, maintain, repair, replace or remove the same; and, with the condition that no permanent structures be placed in the street and if fences are constructed that they are to be removed at no expense to the utility companies when they are making repairs or installing lines.

Commissioner Lewandowski moved to allow public input. There was no objection.

Commissioner LeFevre moved adoption of resolution.

Adopted by the following vote —
Yes, Commissioners Bock, Langin, Goss, Lewandowski, Gwizdala, Kast, Hutter, LeFevre, Wachowiak, 9.
No, None.



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