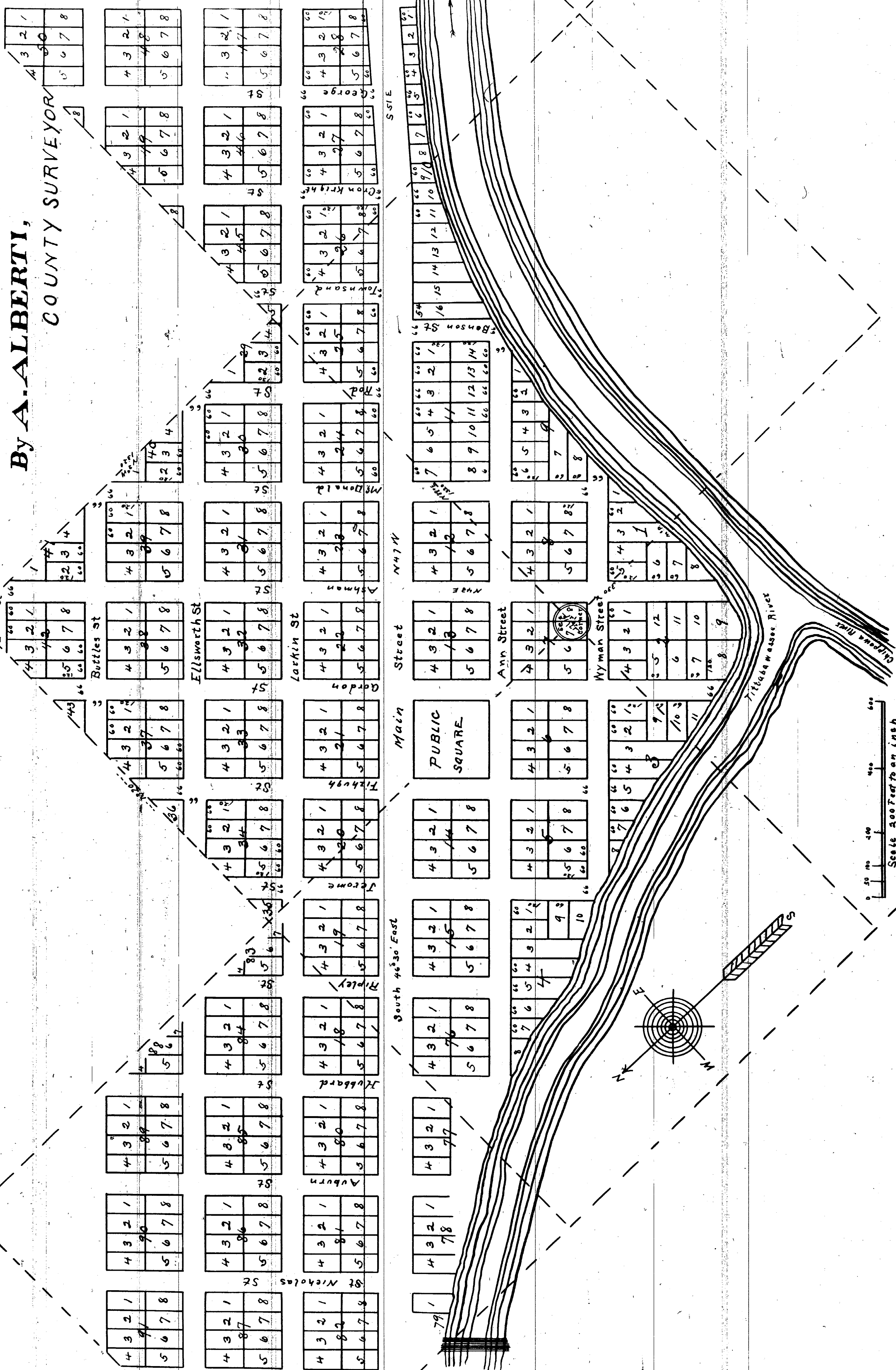


Part One.

MAP OF MIDLAND CITY, MIDLAND COUNTY, MICHIGAN. JUNE 1855.

By A. ALBERTI,

COUNTY SURVEYOR.



EXPLANATIONS TO MIDLAND CITY MAP.

The within Plot is situated on the south West quarter of South West quarter of Section Eleven (11) and the north West part of the north West fractional quarter of Section Twenty one (21) acres

in Township fourteen north of Range two (2) East in Midland County in the State of Michigan The South West quarter of the South West quarter of Section of Sublot (10) within Abbot's Blings lot this date to Samuel Gordon and the north West part of the north West fractional quarter of Section Twenty one within Platted Blings of this date to John Larkin Larkin the Street within designated one (1) acre except six (6) feet wide except main street which is ninety nine (99) feet wide the size of the lot appears from the figures marked by the surveyor to be eight feet front seven inches one hands at Midland this 15th day of February A. D. 1856

In presence of
Henry D. Johnson
Thomas J. Johnson
Wm. R. Wilson

Samuel Gordon (Seal)
John Larkin (Seal)

State of Michigan) On this 15th day of February A. D. 1856 before me a Justice of the Peace of the County of Midland) ss of the Peace in and for said county personally came the above named Samuel Gordon & John Larkin known to me to be the persons who executed the within Plot and the above explanations and acknowledged the execution of the same to be their free act and deed for the purposes and uses within and above mentioned and explained

James A. O'Connell
Justice of the Peace

The north West part of the within Plot lies within the South East 1/4 of Section of Section, Township (19) in Township of Range two (2) East in the County of Midland State of Michigan and Blings at this date to Samuel A. O'Connell of Livingston County State of New York in presence of
Wm. R. Wilson
James O'Connell

Wm. A. O'Connell (Seal)

State of Michigan) On this 15th day of May 1857 before me a Notary Public in and for said County of Midland) ss me a Notary Public in and for said County personally came the above named Samuel A. O'Connell known to me to be one of the persons who executed the within Plot and explanations and acknowledged the execution of the same to be his free act and deed for the purposes and uses within mentioned and explained

Wm. R. Wilson
Notary Public Midland Co. Mich.

State of Michigan) The South West quarter of the South West quarter of Midland) ss The South West quarter of Sec. Township fourteen north Range two East having been surveyed & platted as a part of Midland City with Streets & Public Square as marked on said Plat Books I annexed & hereby give him the execution of said execute said Plot the land above described being now owned by me

J. P. Bailey
John Moore (Seal)

State of Michigan) On this 1st day of Sept 1858 personally appeared County of Midland) before me Notary Public appeared the above named John Moore known to me to be the person who executed the foregoing instrument and acknowledged that he executed the same to his free act and deed

John Moore
Notary Public

The land within Platted Blings at this time to I John Larkin of Midland City Michigan and I have caused the same to be Platted for and addition to said Midland City in presence of
John Larkin (LS)

State of Michigan) On this 26th day of November A. D. 1857 before me a Notary Public in and for said County personally appeared John Larkin known to me to be the person who executed the within Plot & acknowledged and that he executed the same and the above explanations to his free act and deed

John Larkin
Notary Public

Register Office) Received this 15th day of February A. D. 1856 at 2 Midland County) Delate C.M.

John Larkin

I hereby certify that this Plot is a correct copy of the Plot now on hand in the Register Office. Being made under the supervision of the Auditor General by Henry H. O'Connell and affixing Middle a carefully impaled copy of the Certificate to the 17th day of August 1911

Allen B. Ward
Deak and Ben Dept.

12444 6N3
AUG 29 1995

ATTORNEY GENERAL
DEPARTMENT

SEP 07 1995

AUG 31 1995

REVENUE DIVISION

RECEIVED

STATE OF MICHIGAN

Counties of Midland and Bay
CITY OF MIDLAND

OFFICE OF THE CITY CLERK
CITY OF MIDLAND

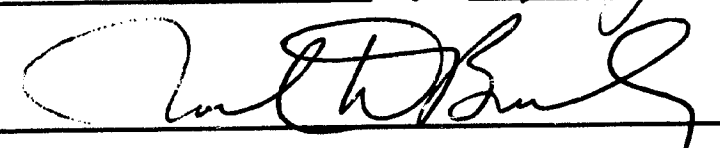
I, NOEL D. BUSH, Clerk of the City of Midland, Counties and State aforesaid, Do Hereby Certify, that
I have compared the annexed copy of the resolution approved by the City Council on August 23, 1995
vacating Hubbard Street southwesterly from Main Street to the Pere Marquette Rail-Trail

OFFICE OF THE
COMMISSIONER OF REVENUE

AUG 29 1995

with the original on file in the office of the City Clerk, 333 W. Ellsworth, Midland, Michigan 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 Midland, Michigan, this

25 day of August 19 95

Noel D. Bush, Deputy City Clerk

CITY SEAL



CITY OF MIDLAND, 333 W. ELLSWORTH, BOX 1647, 48641-1647

BY COUNCILMAN COPPAGE

WHEREAS, a report has been received from the Planning Commission recommending
the vacation of Hubbard Street southwesterly from Main Street to the Pere
Marquette Rail-Trail within the Midland City Original Plat, a recorded plat in
the City of Midland, Michigan, as recorded in Liber A, Pages 1 and 2 of Plats,
Midland County Records; and

WHEREAS, a report has been received from the Midland City Engineer indicating
no objection to the vacation of said street, subject to the reservation of an
easement for utility purposes; and

WHEREAS, a report has been received from the Director of Public Services
recommending the vacation of said street; and

WHEREAS, a public hearing was held on August 23, 1995, to hear comments from
interested parties; and

WHEREAS, it is hereby determined that such proposed action will not adversely
affect the health, welfare, comfort, and safety of the people of the City of
Midland, and is an action in the public interest; now therefore

RESOLVED, that Hubbard Street southwesterly from Main Street to the Pere
Marquette Rail-Trail within the Midland City Original Plat, as recorded in Liber
A, Pages 1 and 2 of Plats, Midland County Records, be, and the same are hereby
vacated, discontinued, and abolished, subject to the reservation of an easement
for utility purposes; and

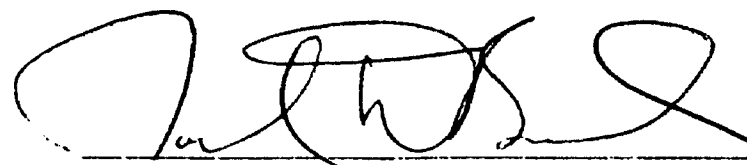
RESOLVED FURTHER, that within thirty (30) days thereof, the City Clerk shall
record a certified copy of this resolution with the Midland County Register of
Deeds and send a copy to the State Treasurer.

YEAS: Black, Coppage, Stout, Taylor

NAYS: None

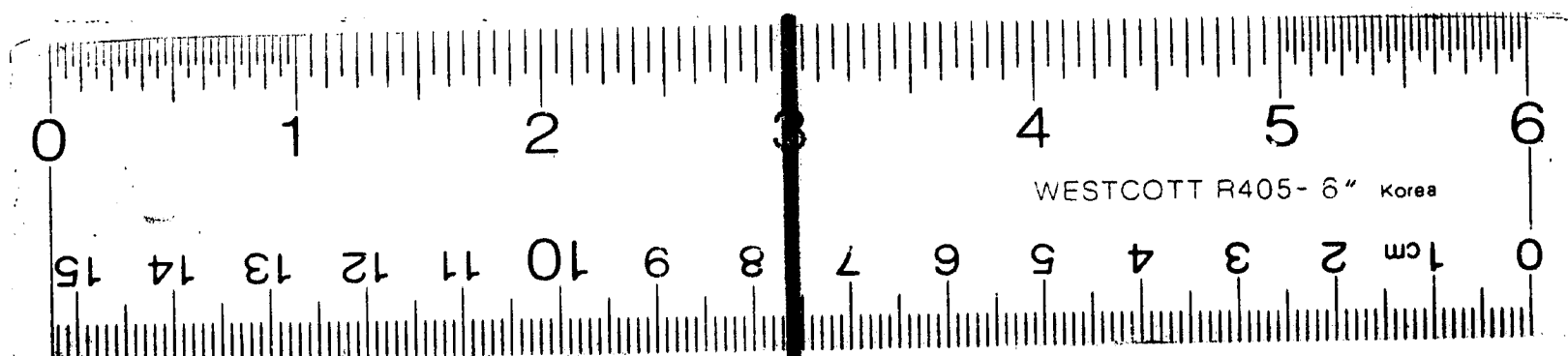
ABSENT: Fitch

I, Noel E. Bush, Deputy City Clerk, City of Midland, Counties of Bay and
Midland, State of Michigan, do hereby certify that the foregoing is a true and
correct copy of a resolution adopted by a 4/0 yeas vote of all the Councilmen
present at a special meeting of the City Council held Wednesday, August 23,
1995.


Noel E. Bush, Deputy City Clerk

d:hubbard.res

THE CITY OF MODERN EXPLORERS



12 X



CITY OF MIDLAND, 333 W. ELLSWORTH, BOX 1647, 48641-1647

6113
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Midland

REVENUE DIVISION
RECEIVED

WHEREAS, by resolution dated June 17, 1991, the City Council referred to the Planning Commission, the City Engineer, the Fire Department, the Police Department, and the Department of Public Works, the request to vacate Gordon and Fitzhugh Streets between Ann and Wyman Streets, within the Midland City Original Plat, a recorded plat in the City of Midland, Michigan, as recorded in Liber A, Pages 1 and 2 of Plats, Midland County Records; and

WHEREAS, a report has been received from the Planning Commission recommending that the request to vacate said streets be granted; and

WHEREAS, a report has been received from the Engineering Department indicating no objection to the vacation, subject to certain conditions; and

WHEREAS, a report has been received from the Fire Department indicating no objection to the vacation; and

WHEREAS, a report has been received from the Department of Public Works recommending approval of the proposed vacation, subject to retaining utility easements where necessary; and

WHEREAS, at a hearing held July 29, 1991, no person or persons appeared and objected to such proposed action; and

WHEREAS, it is hereby determined that such proposed action will not adversely affect the health, welfare, comfort, and safety of the people of the City of Midland, and is an action in the public interest; now therefore,

RESOLVED, that lands described as Gordon and Fitzhugh Streets between Ann and Wyman Streets within the Midland City Original Plat, a recorded plat in the City of Midland, as recorded in Liber A, Pages 1 and 2 of Plats, Midland County Records, be, and the same are hereby vacated, discontinued, and abolished, subject to the retention of utility easements where necessary; and

RESOLVED FURTHER, that such streets are vacated upon the condition that the title to all gas, electric, and communication poles, wires, pipes, conduits, cables, appurtenances and facilities now in, under, or over said streets is reserved to and shall remain in the respective owners thereof, together with the easement and right to occupy said streets within the right(s) of way thereof for public utility purposes with present and additional facilities, and to operate, maintain, repair, replace, or remove the same; and

RESOLVED FURTHER, that within thirty (30) days hereof, the City Clerk shall record a certified copy of this resolution with the Midland County Register of Deeds and send a copy to the State Treasurer.

YEAS: Coppage, Mann, Stout, Wesolowski

NAYS: None

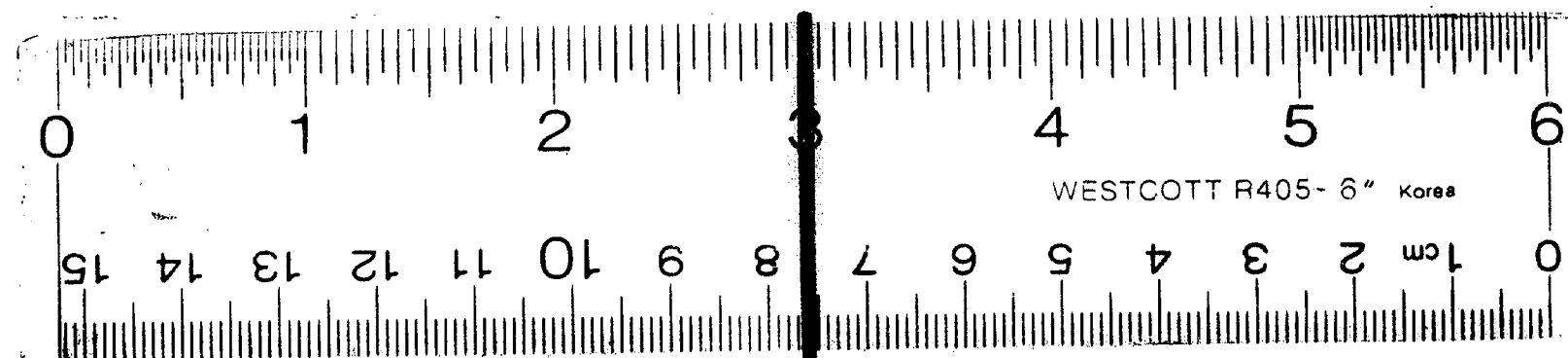
ABSTAIN: Gohrband

ABSENT: None

I, David W. Wirth, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a 4/0/1 yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, July 29, 1991.

David W. Wirth
David W. Wirth, City Clerk

"THE CITY OF MODERN EXPLORERS"



12 X



CITY OF MIDLAND, 333 W. ELLSWORTH, BOX 1647, 48641-1647

FEB 2 4 1992

BY COUNCILMAN STOUT

WHEREAS, on July 29, 1991 the City Council conditionally approved the vacation of Ann Street between Ashman and Gordon Streets conditioned upon, and before it became final, the relocation of all utilities within the existing right-of-way and the construction of a new street, according to City of Midland standards, connecting Ashman and Gordon Streets in a right-of-way to be deeded to the City; and

WHEREAS, because of the Tax Increment Financing Plan and Development Plan No. 1 Amendment No. 1 of the Downtown Development Authority, it is now in the best interest of all concerned that Tax Increment Financing through the Downtown Development Authority be utilized to fund the relocation of utilities and the improvement of a new Ann Street; now therefore

RESOLVED, that the July 29, 1991 City Council resolution conditionally vacating Ann Street between Ashman and Gordon Streets is hereby amended by removing the conditions of relocating the utilities and constructing a new Ann Street within a new right-of-way; and

RESOLVED FURTHER, that lands described as Ann Street between Ashman and Gordon Streets, within the Midland City Original Plat, a recorded plat in the City of Midland, as recorded in Liber A, Pages 1 and 2 of Plats, Midland County Records, shall be vacated, discontinued, and abolished, specifically conditioned upon, and before becoming final, the conveyance of a warranty deed from MVCC Limited Partnership to the City for the purpose of a new Ann Street right-of-way in accord with City of Midland standards; and

RESOLVED FURTHER, that within thirty (30) days, the City Clerk shall record a certified copy of this resolution with the Midland County Register of Deeds and send a copy to the State Treasurer.

YEAS: Black, Coppage, Gohrband, Stout, Taylor

NAYS: None

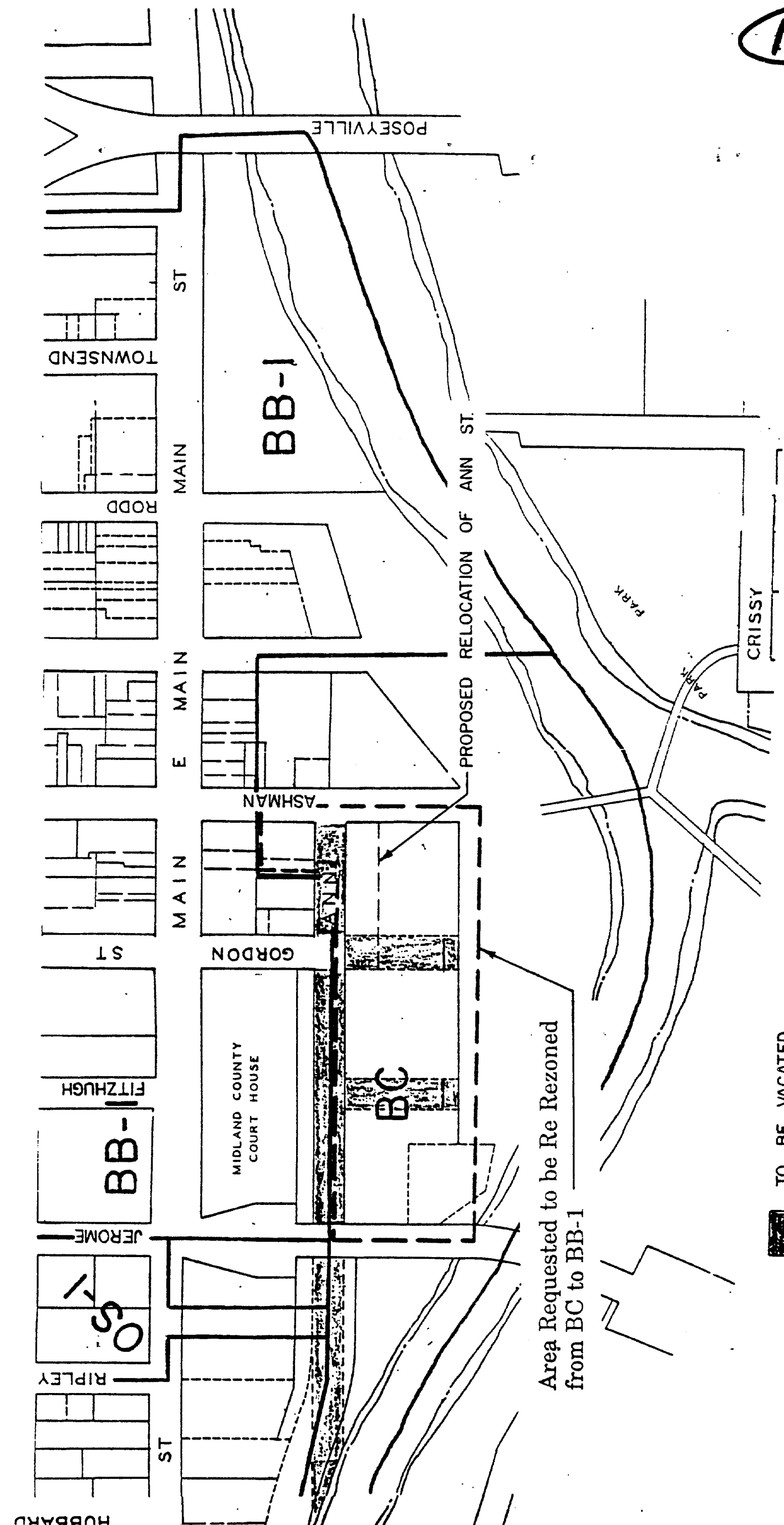
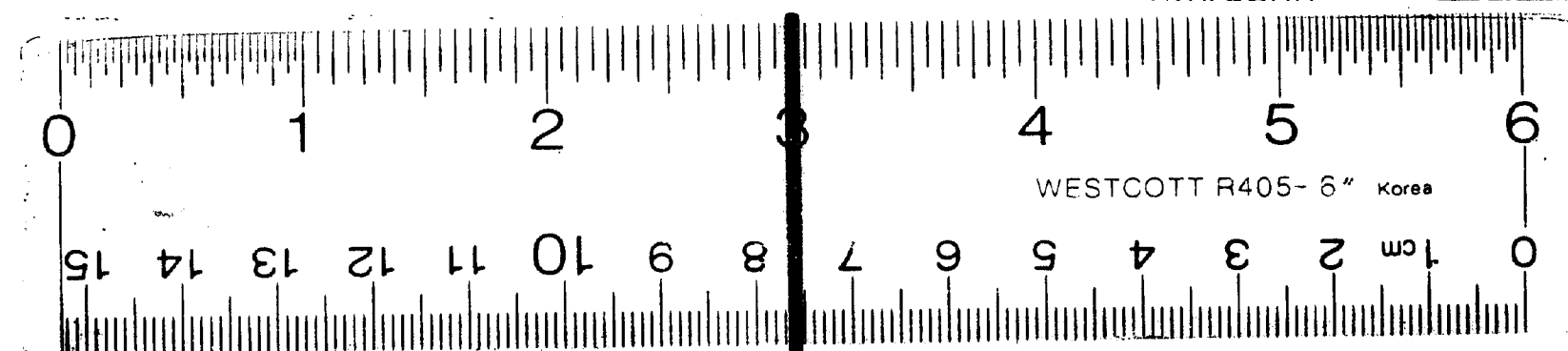
ABSENT: None

I, David W. Wirth, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a 5/0 yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, February 17, 1992.

David W. Wirth
David W. Wirth, City Clerk

"THE CITY OF MODERN EXPLORERS"

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STATE OF MICHIGAN

Counties of Midland and Bay
CITY OF MIDLAND

OFFICE OF THE CITY CLERK
CITY OF MIDLAND

I, PENNY K. KOVACEVICH, Clerk of the City of Midland, Counties and State aforesaid, Do Hereby Certify, that I have compared the annexed copy of the resolution adopted by the Midland City Council on December 4, 1995 vacating the northwesterly four feet of McDonald Street from Main Street to vacated Ann Street

with the original on file in the office of the City Clerk, 333 W. Ellsworth, Midland, Michigan 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 Midland, Michigan, this

Eleventh day of *December* 19*95*
Penny K. Kovacevich
Penny K. Kovacevich, City Clerk

CITY SEAL



CITY OF MIDLAND, 333 W. ELLSWORTH, BOX 1647, 48641-1647

BY COUNCILMAN COPPAGE

WHEREAS, the Midland City Council, acting upon the request of the Midland Masonic Building Association, for the vacation of the northwesterly four feet of the street right-of-way of McDonald Street from Main Street to the vacated Ann Street, a part of the Original Plat of the City of Midland, as recorded in Liber A, Page 1 of Plats, Midland County Records, referred the matter to the Midland City Planning Commission, the City Engineer, and the City Attorney for report and recommendation; and

WHEREAS, a report has been received from the Midland Planning Commission recommending approval of the vacation request, including the four feet, more or less, as extending to Ann Street; and

WHEREAS, a report has been received from the City Engineer indicating no objection to the vacation request; and

WHEREAS, a report has been received from the City Attorney recommending approval of the vacation request; and

WHEREAS, a public hearing was held on December 4, 1995, to hear comments from interested parties; and

WHEREAS, it is determined that such proposed action will not adversely affect the health, welfare, comfort, and safety of the people of the City of Midland and is an action in the public interest; now therefore

RESOLVED, that lands described as the northwesterly four feet of McDonald Street from Main Street to the vacated Ann Street be, and the same are hereby vacated, discontinued, and abolished; and

RESOLVED FURTHER, that within thirty (30) days thereof, the City Clerk shall record a certified copy of this resolution with the Midland County Register of Deeds and send a copy to the State Treasurer.

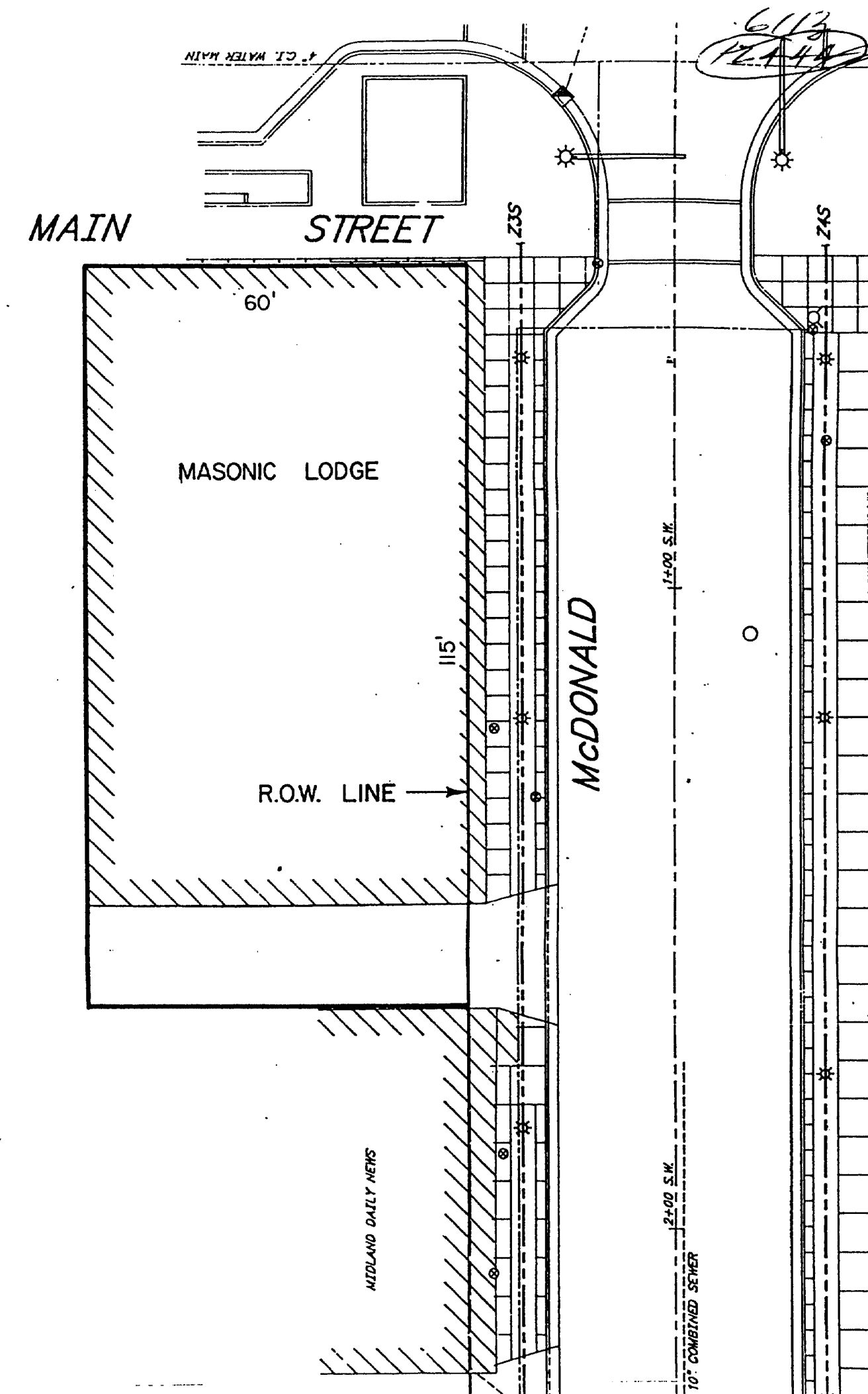
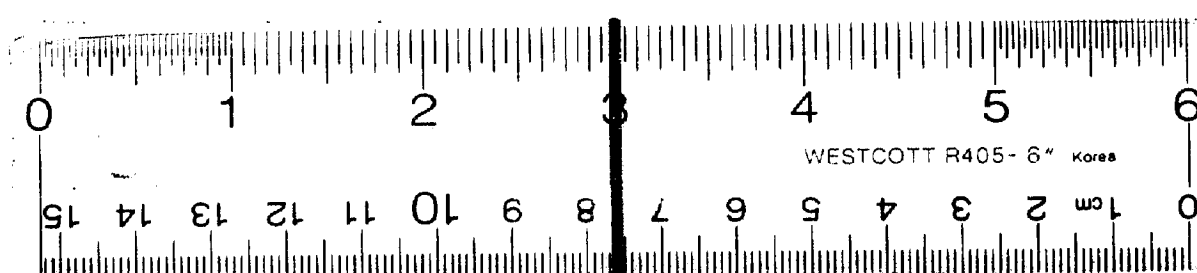
YEAS: Black, Coppage, Fitch, Stout, Taylor
NAYS: None
ABSENT: None

I, John E. Duso, Deputy City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a 5/0 yea vote of all the Councilmen present at a regular meeting of the City Council held Monday, December 4, 1995.

John E. Duso
John E. Duso, Deputy City Clerk

d:stvac.res

"THE CITY OF MODERN EXPLORERS"



16 X



CITY OF MIDLAND, 202 ASHMAN STREET, BOX 1647, 48641-1647

BY COUNCILMAN COPPAGE

WHEREAS, by resolution dated May 30, 1989, the City Council referred to the Planning Commission, the City Engineer, Department of Public Works, Police Department, Fire Department, and the Parks and Recreation Department the request to vacate that portion of Benson Street between Main Street and the Tittabawassee River, within the plat of Midland City Original, a recorded plat in the City of Midland, Michigan, as recorded in Liber A, Pages 1 and 2 of Plats, Midland County Records; and

WHEREAS, a report has been received from the Planning Commission recommending that the request to vacate this portion of Benson Street be granted; and

WHEREAS, a report has been received from the Midland City Engineer indicating no objection to the proposed vacation of the street, provided utilities are properly relocated and a substitute route is provided; and

WHEREAS, a report has been received from the Director of Utilities indicating no objection to the proposed street vacation and citing the need to relocate water and sewer lines now located within the subject property; and

WHEREAS, at a public hearing held on February 12, 1990, no person or persons appeared and objected to such proposed action; and

WHEREAS, it is hereby determined that such proposed action will not adversely affect the health, welfare, comfort, and safety of the people of the City of Midland and is an action in the public interest; now, therefore

RESOLVED, that the land described as that portion of Benson Street between Main Street and the Tittabawassee River within the plat of Midland City Original be and the same is hereby vacated, discontinued and abolished, subject to approval by at least three-fifths (3/5) of the electorate at the special City election to be held on Tuesday, March 6, 1990, and an order authorizing the same by the Midland Circuit Court pursuant to Public Act 341 of the Public Acts of the State of Michigan of 1927; and

RESOLVED FURTHER, that within thirty (30) days of the last to occur of an approval by the electorate and authorization by the Midland Circuit Court, the City Clerk shall record a certified copy of this resolution, a certification of the election results and a true copy of the Circuit Court order with the Midland County Register of Deeds and send copies thereof to the State of Michigan.

"THE CITY OF MODERN EXPLORERS"

YEAS: Coppage, Gohrband, Mann, Stout, Wesolowski

NAYS: None

ABSENT: None

I, David W. Wirth, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a 5/0 vote of all the Councilmen present at a regular meeting of the City Council held Monday, February 12, 1990.

David W. Wirth
David W. Wirth, City Clerk



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

IN RE: APPLICATION FOR
ABANDONMENT OR DISCONTINUANCE)
OF A PART OF BENSON STREET) File No. 45-7812
CZ-B

ORDER OF ABANDONMENT OR DISCONTINUANCE OF BENSON STREET BETWEEN
EAST MAIN STREET AND TITTABAWASSEE RIVER IN CITY OF MIDLAND

At a session of said Court held in
in the Courthouse in the City of
Midland, Midland County, Michigan,
on the 24 day of April, 1990.

HONORABLE THOMAS A. BEALE, CIRCUIT JUDGE
COUNTY CLERK
MIDLAND, MICHIGAN

Upon the holding of the hearing pursuant to this Court's Order of February 26, 1990 in connection with the application of seven freeholders of the City of Midland for approval by this Court of the abandonment or discontinuance of that portion of Benson Street in the City of Midland which lies between East Main Street and the Tittabawassee River pursuant to the provisions of Public Act 341 of the Public Acts of the State of Michigan of 1927; and this Court having heard evidence relative to the need to accomplish the same so that the construction of a senior citizens housing facility which would utilize a large portion of the present Benson Street in this area can go forward and further evidence regarding the approval of this same basic issue by 83% of the voters of the City of Midland at a special election held on March 6, 1990 in connection with a separate but related procedure;

NOW, THEREFORE, since it satisfactorily appears to this Court that there is no reasonable objection to the abandonment or discontinuance of that portion of Benson Street as described below as applied for by seven freeholders of the City of Midland; and since it also appears to this Court that it is necessary for the best interest and welfare of the public that such highway be

abandoned or discontinued as prayed for in such application; and since it also appears to this Court that notice of the hearing has been accomplished pursuant to the requirements of Section 3 of the Public Act referred to below as is reflected in the Affidavit of the Midland City Clerk with its attachments as filed with this Court, IT IS ORDERED, pursuant to Section 4 of Public Act 341 of the Public Acts of the State of Michigan of 1927 that that portion of Benson Street in the City of Midland which lies between East Main Street and the Tittabawassee River as the same is more fully depicted within the plat of Midland City Original, a recorded plat in the City of Midland, Michigan, in Liber A, pages 1 and 2 of Plats, of Midland County Records, is hereby abandoned or discontinued effective immediately.

Thomas A. Beale
Circuit Judge

CERTIFIED COPY OF RECORD
I, JEFFREY P. PORTER, Clerk of the County of Midland, and of the Circuit Court thereof, do hereby certify that the following is a true and correct copy of the original now remaining in my office, and of the whole thereof, viz:
In testimony whereof, I have hereunto set my hand and affixed the seal of said Circuit Court
day of APRIL A. D. 1990
Jeffrey P. Porter, County Clerk

LIBER 636 PAGE 680
RECORDED

Mar 18 8 57 AM '90
RICHARD O. DIMENT
REGISTER OF DEEDS
MIDLAND COUNTY, MICH



STATE OF MICHIGAN
COUNTIES OF MIDLAND AND BAY
CITY OF MIDLAND

OFFICE OF THE CITY CLERK
CITY OF MIDLAND

I, DAVID W. WIRTH, Clerk of the City of Midland, Counties and State aforesaid, Do Hereby Certify, that I have compared the annexed copy of a resolution authorizing the vacation, discontinuance and abolishment of that portion of Benson Street between Main Street and the Tittabawassee River,

with the original on file in the office of the City Clerk, 333 W. Ellsworth, Midland, MI 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 Midland, Michigan, this

17th day of May 1990.

David W. Wirth
David W. Wirth, City Clerk





CITY OF MIDLAND, 202 ASHMAN STREET, BOX 1647, 48641-1647

BY COUNCILMAN DORNBOS

WHEREAS, a request has been received from The McKay Press, owners of all abutting property, requesting the vacation of that section of George Street between Larkin Street and Main Street, and that section of Larkin Street between George Street and State Street, in the Midland City Original Plat, a recorded plat in the City of Midland, Michigan, as recorded in Liber A, Pages 1 and 2 of Plats, Midland County Records, and

WHEREAS, a report has been received from the Midland City Planning Commission recommending that the request be granted and the public property be vacated, subject to the retention of easements for utility purposes; and

WHEREAS, a report has been received from the Midland City Department of Public Works, concurring with the proposal to vacate the public property; and

WHEREAS, a report has been received from the Midland City Police Department, indicating no objections to the proposed public property vacation; and

WHEREAS, a report has been received from the Midland City Engineer recommending vacation of the public property, subject to the retention of an easement for utilities and the prohibition of encroachment of structures which would prevent maintenance of utilities; and

WHEREAS, at a hearing held on October 31, 1988, no person or persons appeared and objected to such proposed action; and

WHEREAS, it is hereby determined that such proposed action will not adversely affect the health, welfare, comfort, and safety of the people of the City of Midland and is an action in the public interest, now, therefore,

RESOLVED that lands described as that section of George Street between Larkin Street and Main Street, and that section of Larkin Street between George Street and State Street, in the Midland City Original Plat, a recorded plat in the City of Midland, Michigan, as recorded in Liber A, Pages 1 and 2 of Plats, Midland County Records, be, and the same are hereby vacated, discontinued, and abolished, and subject to the retention by the City of an easement for utilities and the prohibition of encroachment of structures which would prevent maintenance of utilities; and

RESOLVED FURTHER that such streets are vacated upon the condition that the title to all gas, electric and communication poles, wires, pipes, conduits, cables, appurtenances and facilities now in, under or over said streets is reserved to and shall remain in the respective owners thereof, together with

the easement and right to occupy said streets 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

RESOLVED FURTHER that within thirty (30) days thereof, the City Clerk shall record a certified copy of this resolution with the Midland County Register of Deeds and send a copy to the State Treasurer.

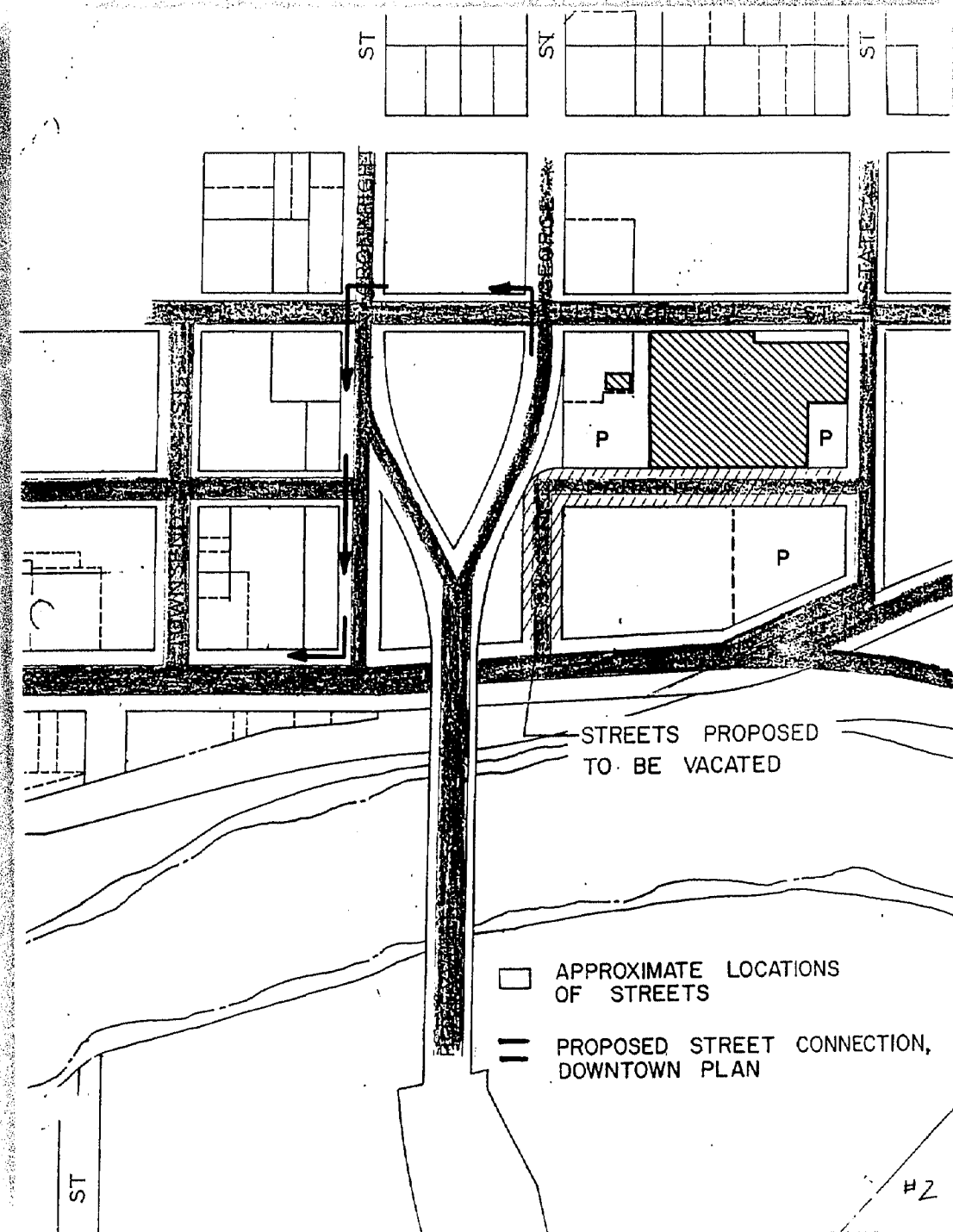
YEAS: Dornbos, Gohrband, Mann, McCaffrey

NAYS: Kehlbeck

ABSENT: None

I, David W. Wirth, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a 4/1 yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, October 31, 1988.

David W. Wirth
David W. Wirth, City Clerk



MAR 14 1988

STATE OF MICHIGAN

COUNTIES OF MIDLAND AND BAY

CITY OF MIDLAND

OFFICE OF THE CITY CLERK
CITY OF MIDLAND

I, DAVID W. WIRTH, Clerk of the City of Midland, Counties and State aforesaid, Do Hereby Certify, that I have compared the annexed copy of a resolution adopted by the City Council authorizing the vacation of Gordon Street between Ellsworth and Butties.

with the original on file in the office of the City Clerk, Midland, Michigan, 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 Midland, Michigan, this

9th day of March 1988

David W. Wirth
David W. Wirth
CITY CLERK

Certificate No.

"THE CITY OF MODERN EXPLORERS"



CITY OF MIDLAND, 202 ASHMAN STREET, BOX 1647, 48641 1647

BY COUNCILMAN GOHRBAND

WHEREAS, the Midland City Council, acting upon the request of Midland County, by resolution of January 11, 1988, referred to the Midland City Planning Commission, the City Engineer, the Fire Department, the Police Department, and the Department of Public Works, a proposal to vacate Gordon Street between Ellsworth and Buttles Streets, and affecting the Midland City Original Plat, a Plat recorded in Liber A, pages 1 and 2 in the City of Midland; and

WHEREAS, a report has been received from the Planning Commission recommending that the public property be vacated, subject to the retention of easements for utilities; and

WHEREAS, a report has been received from the City Engineer recommending the vacation of the public property, subject to retaining utility easements; and

WHEREAS, a report has been received from the Fire Department recommending the vacation of the public property, subject to maintenance of access to buildings and fire hydrants for fire suppression operations; and

WHEREAS, a report has been received from the Police Department indicating no objection to the vacation of the public property; and

WHEREAS, a report has been received from the Department of Public Works, recommending vacation of the public property, and abandonment of the utilities located therein, or the retention of an easement for the public utilities; and

WHEREAS, at a hearing held on March 7, 1988, no person or persons appeared and objected to such proposed action; and

WHEREAS, it is hereby determined that such proposed action will not adversely affect the health, welfare, comfort, and safety of the people of the City of Midland, and is an action in the public interest; now, therefore,

RESOLVED, that lands described as Gordon Street between Ellsworth and Buttles Streets, and within the Midland City Original Plat, a recorded plat in the City of Midland, Michigan, as recorded in Liber A of Plats, Pages 1 and 2, Midland County Records, be, and the same are hereby vacated, discontinued, and abolished, and subject to the retention by the City of an easement for utility purposes; and

RESOLVED FURTHER, that within thirty (30) days thereof, the City Clerk shall record a certified copy of this resolution with the Midland County Register of Deeds and send a copy to the State Treasurer.

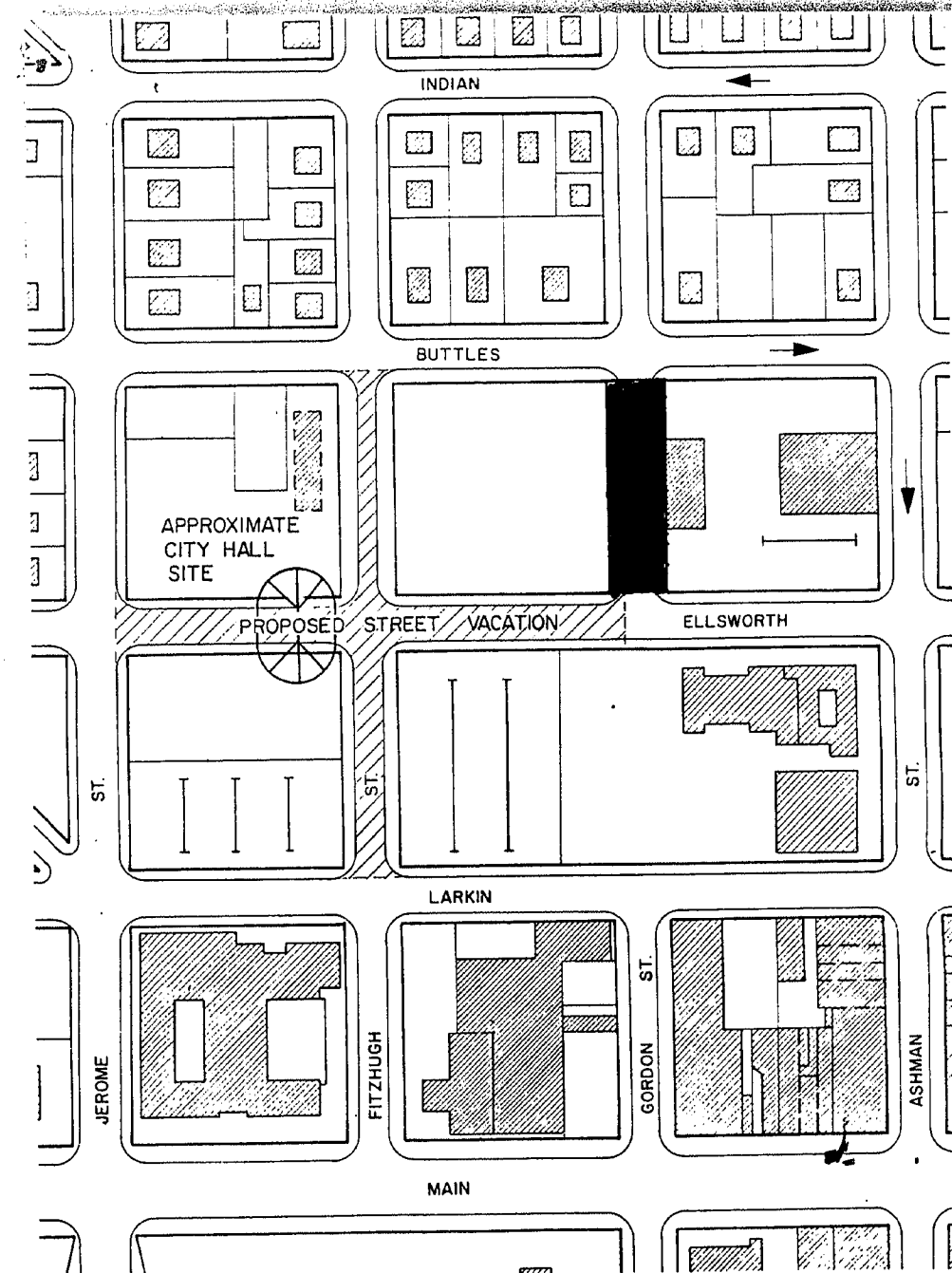
YEAS: Dornbos, Gohrband, Kehlbeck, Mann, McCaffrey

NAYS: None

ABSENT: None

I, David W. Wirth, City Clerk, City of Midland, Counties of Bay and Midland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by a 5/0 yeas vote of all the Councilmen present at a regular meeting of the City Council held Monday, March 7, 1988.

David W. Wirth
David W. Wirth, City Clerk



STREET VACATION

Portion of Gordon Street

LIBER 314 PAGE 194

WHEREAS, the City Council by resolution at its meeting on October 14, 1964, adopted a Resolution setting a public hearing for the purpose of considering the vacation and discontinuance of that portion of Gordon Street between Ellsworth and Larkin Streets in the Original Plat of Midland City, and

WHEREAS, the City Council in said Resolution appointed the 18th day of November 1964, at 7:15 p.m., to hear any objections or suggestions on said vacation, which Resolution was published as therein required in the Midland Daily News, and

WHEREAS, the City Council held a public hearing on the 18th day of November 1964, and considered the objections and suggestions on said vacation following which the matter was then tabled, and

WHEREAS, it is now desirable that the matter be taken from the table for decision,

NOW THEREFORE BE IT RESOLVED, that that portion of Gordon Street between Ellsworth and Larkin Streets in the Original Plat of Midland City, be and the same is hereby vacated, discontinued and abolished,

BE IT FURTHER RESOLVED, that the City of Midland does hereby retain an easement for all public and private utilities, including Consumers Power Company and Michigan Bell Telephone Company, if any there be,

BE IT FURTHER RESOLVED, that the City of Midland retain a ten (10) foot right-of-way for public pedestrian traffic along the southeasterly ten (10) feet of the said vacated Gordon Street.

Yeas: Allison, Hammer, Blasy, Chomistek, Schneider

Nays: None

Absent: None

I, K.W. Lybolt, City Clerk, City of Midland, County of Midland, State of Michigan do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by a 5/5 yeas vote of all the Councilmen Elect at a regular meeting of the City Council held Monday, October 4, 1965.

K.W. Lybolt, City Clerk

M E R I C

RECEIVED
MIDLAND COUNTY, MICH.

OCT 5 3 13 PM 1965

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