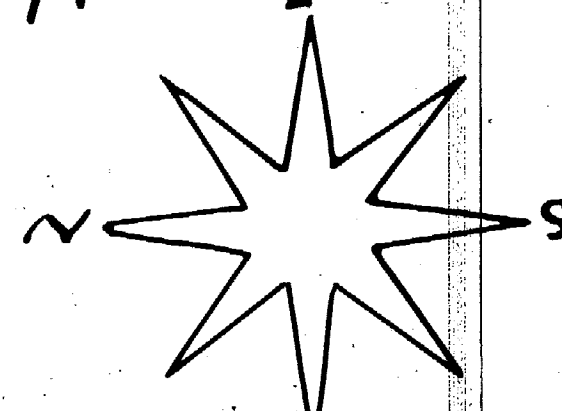


## MAP OF DAGLISH'S

## DIVISION OF PORTS

June 1856 by A. Alberti Surveyor of Saginaw AND MIDLAND COUNTIES MICH.  
Scale 200 feet to an inch.



all corners  
shown rounded







City of Bay City

301 WASHINGTON AVE.  
BAY CITY, MICHIGAN 48708  
FAX: (517) 894-1070

February 9, 1993

Department of Treasury  
Bureau of Local Government Services  
Second Floor, Treasury Building  
Lansing, MI 48922

Gentlemen:

Pursuant to Section 256 of the New Subdivision Act of 1967 (Public Act 288), we herewith submit a certified copy of the resolution vacating the alley in the block bounded by 24th, 25th, Marsac and Broadway, Daglish Division of Portsmouth. A certified copy of the receipt of easement mentioned in the alley vacation, together with a copy of the recorded easement itself, are enclosed for your information.

A sketch from the Planning Office which identifies the area affected is also attached.

Sincerely,

CITY OF BAY CITY

Connie M. Deford  
Connie M. Deford, CMC/RAE  
City Clerk

Enclosures

LIBER 1249 PAGE 302

CITY OF BAY CITY, MICH  
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 December 7, 1992

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

21st day of December 19 92

Connie M. Deford  
Connie M. Deford, City Clerk

On September 14, 1992 the City Commission vacated the alley in the block bounded by 24th, 25th, Marsac and Broadway grant an easement for driveway purposes across the vacated alley adjoining Lots 1, 2, and 12, Block 111 of Daglish Division of Portsmouth to the owner of Lot 11, Block 111 of Daglish Division of Portsmouth, said easement to be filed with the City Clerk by October 1, 1992. Said easement was filed with the City Clerk by October 1, 1992. This easement has been reviewed by the City's staff and City Attorney and has been recorded.

Commissioner Lewandowski moved adoption of recommendation.  
Adopted by the following vote:  
Yes, Commissioners Bock, Sheppard, Lewandowski, LeVasseur, Katt, Newsham, Wadczewski, T. No. None.

LIBER 1241 PAGE 21

C. The easement is created over the strip of land ten (10) feet in width with a centerline which is consistent with and identical to the centerline of the vacated alley, such strip running from the southerly line of 24th Street, as improved, in a southerly direction to the southern boundary of Lots Two (2) and Eleven (11), Block One Hundred Eleven (111), Daglish Division of Portsmouth Township.

Grantors further covenant that no fences or other structures, permanent or otherwise, will be placed, during the life of this agreement on, or within, one (1) foot of either the East or West boundary of this driveway easement to allow for storage of snow removed from said driveway.

D. As used in this agreement, "driveway purposes" means a residential driveway to be used solely for the reasonable ingress and egress of the residents of 904 Broadway and their guests, being Grantee's property, said easement not to be used for parking or other storage of vehicles.

E. This grant of easement shall run with the land and shall be binding on and shall inure to the benefit of the parties to this agreement, their respective heirs, executors, administrators, successors and assigns.

F. This agreement shall become void and terminate upon either the construction of a driveway from Broadway to serve Grantee's property, being Lot Eleven (11), Block One Hundred Eleven (111), Daglish Division of Portsmouth Township, or the construction of a garage upon said Lot.

G. Grantee, for Grantee, their heirs, successors and assigns, covenants with Grantors, their heirs, successors and assigns, that Grantee shall, from time to time, and at all times after the effective date of this instrument, at their own cost and expense repair and maintain, in a proper, substantial and workmanlike manner, the above-described driveway. Such maintenance shall include, but shall not be limited to, grading, filling, dust control and snow removal.

H. Any notice provided for or concerning this agreement shall be in writing and be deemed sufficiently given when sent by certified or registered mail if sent to the respective address of each party as set forth at the beginning of this agreement.

I. It is agreed that this agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Michigan.

MOTIONS & RESOLUTIONS

Of Commissioner Newsham

Resolved that the recommendation for vacation of the alley in the block bounded by 24th, 25th, Marsac and Broadway, Daglish Division of Portsmouth, be approved.

Commissioner Lewandowski moved to allow public input. There was no objection. No one came forward. Commissioner Newsham moved to adopt resolution to reconsider.

Adopted by the following vote: Yes, Commissioners Bock, Sheppard, Lewandowski, LeVasseur, Katt, LeFlores, Newsham, Wadczewski, T. No. None.

It is recommended that the following resolution regarding the vacation of the alley in the block bounded by 24th, 25th, Marsac and Broadway be approved.

Whereas, the Bay City Planning Commission held a public hearing on June 17, 1992 to consider the petition of Larry Cass and seven others to vacate the alley in the block bounded by 24th Street, 25th Street, Marsac Street and Broadway, and

Whereas, there are ten (10) developed parcels within said block, eight (8) of the ten (10) owners of said parcels have petitioned to vacate said alley citing problems with theft, through traffic, time, vandalism, noise, etc.; and

Whereas, the owners of the remaining two (2) undeveloped parcels opposed the vacation of the alley, citing the need to use the alley to access parking areas in their rear yards. One of these two also has a driveway off of Broadway and can reach his rear yard via the driveway. The other does not have a driveway but has sufficient side yard to construct a driveway if the alley was vacated; and

Whereas, there are utilities located within the alley; and

Whereas, the Planning Commission recommended said alley be vacated with all utility easements being retained; and

Whereas, a resolution was adopted by the City Commission on July 13, 1992 ordering publication of notices and the holding of a hearing, said notices having been published in The Bay City Dispatch, the official newspaper of the City of Bay City, on July 23, 30 and August 6 and 13, 1992 relative to the aforementioned hearing, and certified notices thereof having been mailed to the public utilities, railroad and abutting property owners; and

Whereas, a public hearing was held by the City Commission on Monday, August 24, 1992 relative to the aforementioned alley vacation;

LIBER 1233 PAGE 824

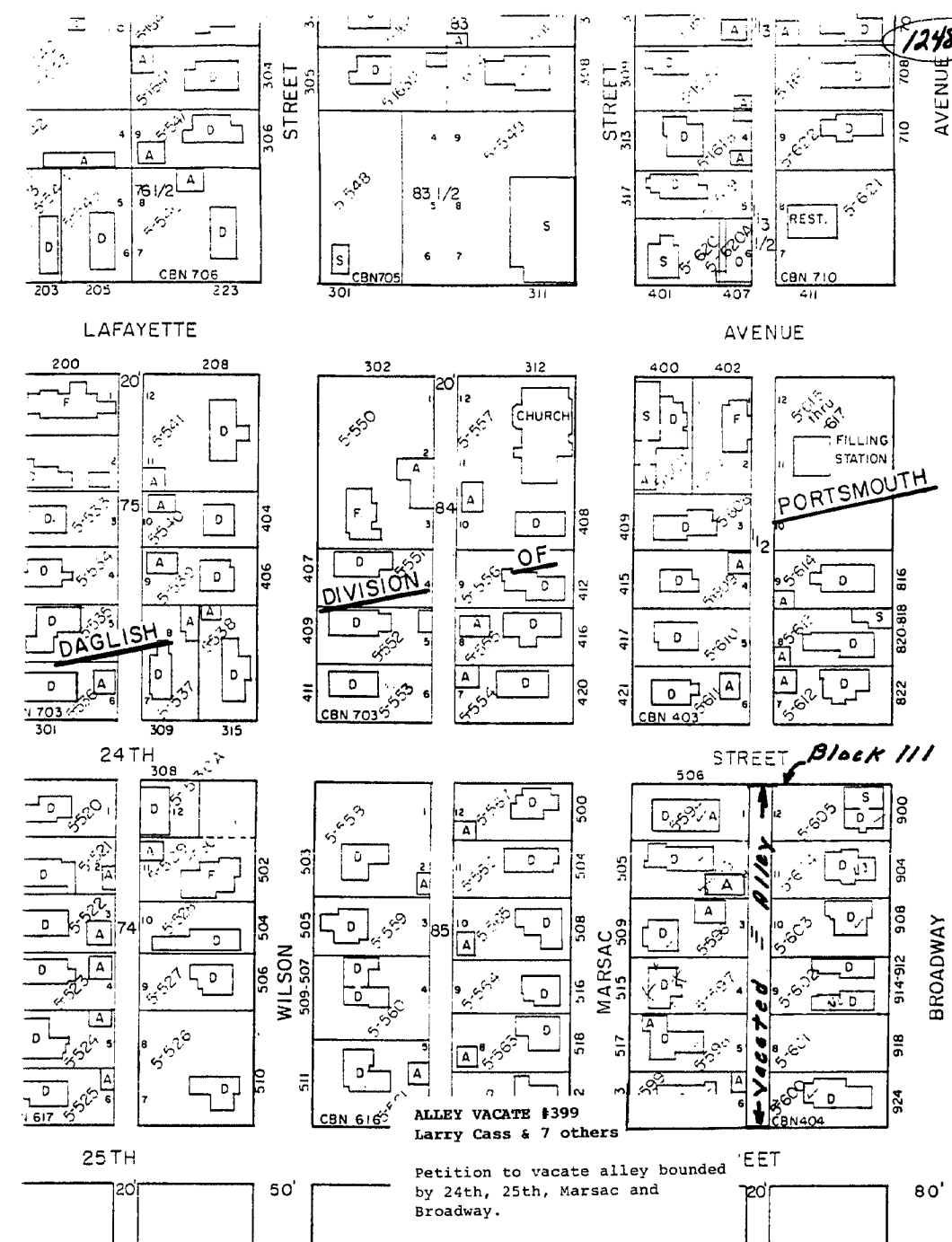
Now, Therefore, Be It Resolved and Ordered by the City Commission that the alley in the block bounded by 24th Street, 25th Street, Marsac Street and Broadway, being Block 111 of Daglish Division of Portsmouth, is hereby closed and vacated.

Provided, however, that said alley is vacated upon condition that title to all gas, electric and communication poles, wires, pipes, conduits, cables, appurtenances and facilities now in, under or over said alley be reserved to and shall remain in the respective owners thereof, together with the easement and rights to occupy said alley for public utility purposes with present and additional facilities to operate, maintain, repair, replace or remove the same; and, furthermore, that no permanent structures be placed in said alley and if fences are constructed that they be removed at no expense to the utility companies when they are making repairs or installing lines.

Commissioner Newsham moved to amend by adding the following condition: that property owners of 505 Marsac, 504 24th Street, and 900 Broadway grant an easement for driveway purposes across the vacated alley adjoining Lots 1, 2 and 12, Daglish Division of Portsmouth, to the owner of Lot 11, Daglish Division of Portsmouth, said Lot 11 being 904 Broadway and currently owned by James W. Bond, said easement to be filed with the City Clerk by October 1, 1992; and in the event that a driveway is constructed from Broadway to serve Lot 11, this easement shall terminate.

There was no objection to the amendment. Commissioner Newsham moved adoption of recommendation as amended. Adopted by the following vote:

Yes, Commissioners, Bock, Sheppard, Lewandowski, LeVasseur, Katt, LeFlores, Newsham, Wadczewski, T. No. None.



7-11

LIBER 1241 PAGE 20

EASEMENT AGREEMENT

Agreement made, effective as of September 30, 1992 by and between Lawrence H. and Patricia A. Cass, husband and wife, of 504 24th Street, Bay City, Michigan 48708; Robert L. and Shirley A. Smith, husband and wife, of 900 Broadway, Bay City, Michigan 48708; and Robert A. and Susanne K. Meyer, husband and wife, of 505 Marsac, Bay City, Michigan 48708; hereinafter collectively referred to as "Grantors" and James W. and Tammy Bond, husband and wife, of 3207 E. Fisher, Bay City, Michigan 48706, hereinafter referred to as "Grantee".

RECITALS

The parties recite and declare:

A. The parties hold respective interests in real estate situated in the City of Bay, County of Bay, State of Michigan and described respectively as follows:

Cass - Lot One (1), Block One Hundred Eleven (111), of Daglish Division of Portsmouth, now part of Bay City, according to the recorded plat thereof.

Smith - Lot Twelve (12), Block One Hundred Eleven (111), of Daglish Division of Portsmouth, as per plat recorded in Liber One (1) of Plats, on Page Forty (40) of Bay County Records.

Meyer - Lot Two (2), Block One Hundred Eleven (111), of Daglish Division of Portsmouth, as per plat recorded in Liber One (1) of Plats, on Page Forty (40) of Bay County Records.

Bond - Lot Eleven (11), Block One Hundred Eleven (111), of Daglish Division of Portsmouth, now part of Bay City, as per plat recorded in Liber One (1) of Plats, on Page Forty (40) of Bay County Records.

B. Grantors desire to create for the benefit of Grantee, an easement for driveway purposes over a portion of the vacated alley, which bisects in a North-South direction the block bounded by 24th Street on the North, 25th Street on the South, Marsac on the West and Broadway on the East being Block Eleven One Hundred Eleven (111) of Daglish Division of Portsmouth, as per plat recorded in Liber One (1) of Plats, Page Forty (40) of the Bay County Records.

LIBER 1241 PAGE 22

J. This agreement shall constitute the entire agreement between the parties and any prior understanding or representation of any kind, preceding the date of this agreement, shall not be binding upon either party except to the extent incorporated in this agreement.

K. Any modification of this agreement, or additional obligation assumed by either party in connection with this agreement, shall be binding only if evidenced in writing signed by each party.

In witness whereof, each party to this agreement has caused it to be executed at Bay City on the date indicated below.

Witness:

Ralph A. Cantrano

AS TO SMITH'S: RALPH A. CANTRANO

Timothy K. Bukowski

Timothy K. Bukowski

Ralph A. Cantrano

Robert L. Cass

Shirley A. Smith

James W. Bond

Tammy Bond

Grantors:

Lawrence H. Cass

Patricia A. Cass

Robert L. Smith

Shirley A. Smith

Robert A. Meyer

Susanne K. Meyer

Grantee:

James W. Bond

Tammy Bond

LIBER 1241 PAGE 23

STATE OF MICHIGAN

COUNTY OF BAY

SS.

Subscribed and sworn to before me, a Notary Public, on the 28th day of September, 1992, by Lawrence H. and Patricia A. Cass.

Ralph A. Cantrano  
Notary Public, Bay County, Michigan  
My commission expires: Sept 5th 1993

Subscribed and sworn to before me, a Notary Public, on the 25th day of September, 1992, by Robert L. and Shirley A. Smith.

Ralph A. Cantrano  
Notary Public, Bay County, Michigan  
My commission expires: Sept 5th 1993

Subscribed and sworn to before me, a Notary Public, on the 25th day of September, 1992, by James W. and Susanne K. Meyer.

Ralph A. Cantrano  
Notary Public, Bay County, Michigan  
My commission expires: Sept 5th 1993

Subscribed and sworn to before me, a Notary Public, on the 25th day of September, 1992, by James W. and Tammy Bond.

Ralph A. Cantrano  
Notary Public, Bay County, Michigan  
My commission expires: Sept 5th 1993

Prepared by:

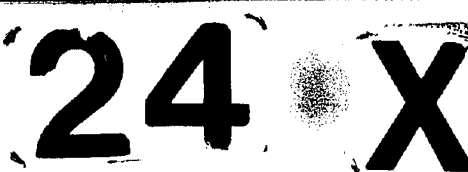
LAMBERT, LESER, DAHM, COOK,  
SCHMIDT & GIUNTA, P.C.  
By: David C. Ruhland (P38955)  
309 Davidson Building  
P.O. Box 835  
Bay City, MI 48707-0835  
(517) 893-3518

LAMBERT, LESER, DAHM, COOK, SCHMIDT & GIUNTA, P.C., ATTORNEYS AT LAW, 309 DAVIDSON BUILDING, BAY CITY, MICHIGAN 48708

LAMBERT, LESER, DAHM, COOK, SCHMIDT & GIUNTA, P.C., ATTORNEYS AT LAW, 309 DAVIDSON BUILDING, BAY CITY, MICHIGAN 48708

LAMBERT, LESER, DAHM, COOK, SCHMIDT & GIUNTA, P.C., ATTORNEYS AT LAW, 309 DAVIDSON BUILDING, BAY CITY, MICHIGAN 48708

LAMBERT, LESER, DAHM, COOK, SCHMIDT & GIUNTA, P.C., ATTORNEYS AT LAW, 309 DAVIDSON BUILDING, BAY CITY, MICHIGAN 48708





City of Bay City

CITY CLERK  
301 WASHINGTON AVE.  
BAY CITY, MICHIGAN 48708  
FAX: (517) 894-0704

August 22, 1995

Subdivision Control  
Department of Commerce  
P.O. Box 30004  
Lansing, MI 48909-7504

Gentlemen:

In accordance with the Subdivision Control Act of 1967, as amended, submitted is a certified copy of the resolution vacating the alley in the block bounded by Lafayette Avenue, Twenty-fourth Street, Webster Street and McCormick Street, Daglish Division of Portsmouth. A sketch from the Planning Office which identifies the area affected is also attached.

If you have any questions, please contact my office at (517) 894-8168.

Sincerely,

CITY OF BAY CITY

Connie M. Deford, CMC/AAB  
City Clerk

Enclosure

CLB-3c

1369 PAGE 747  
CITY OF BAY CITY, MICH.  
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 Bay City  
City Commission held June 5, 1995,

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

19th day of July, 1995

Connie M. Deford,  
City Clerk

Of City Manager and Director of Community Development:

In accordance with City Commission action taken on April 3, 1995, regarding the petition of James G. Gasta to vacate the alley in the block bounded by Lafayette Avenue, Twenty-fourth Street, Webster Street, and McCormick Street, the following resolution is presented:

Of Commission as a Whole:

Whereas, the Planning Commission held a public hearing on March 15, 1995, to consider vacating the above described alley; and

Whereas, said alley has utilities located within it; and

Whereas, a resolution was adopted by the City Commission on April 3, 1995, ordering publication of notices and the holding of a public hearing, said notices having been published in The Bay City Democrat, the official newspaper of the City of Bay City, on April 20 and 27 and May 4 and 11, 1995, relative to the aforementioned hearing, and certified notices thereof having been mailed to the public utility companies and abutting property owners; and

Whereas, a public hearing was held on May 15, 1995, relative to the aforementioned request for vacation;

Now, Therefore, Be It Resolved and Ordered by the City Commission that the alley in the block bounded by Lafayette Avenue, Twenty-fourth Street, Webster Street, and McCormick Street is hereby closed and vacated; provided that said alley is vacated upon the condition that title to all gas, electric, and communication poles, wires, pipes, conduits, cables, appurtenances and facilities now in, under or over said alley are reserved to and shall remain in the respective owners thereof, together with the easement and rights to occupy said alley for public utility purposes with present and additional facilities to operate, maintain, repair, replace or removed the same; and that no permanent structures be placed in said alley, and if fences are constructed, that they are to be removed at no expense to the utility companies when they are making repairs or

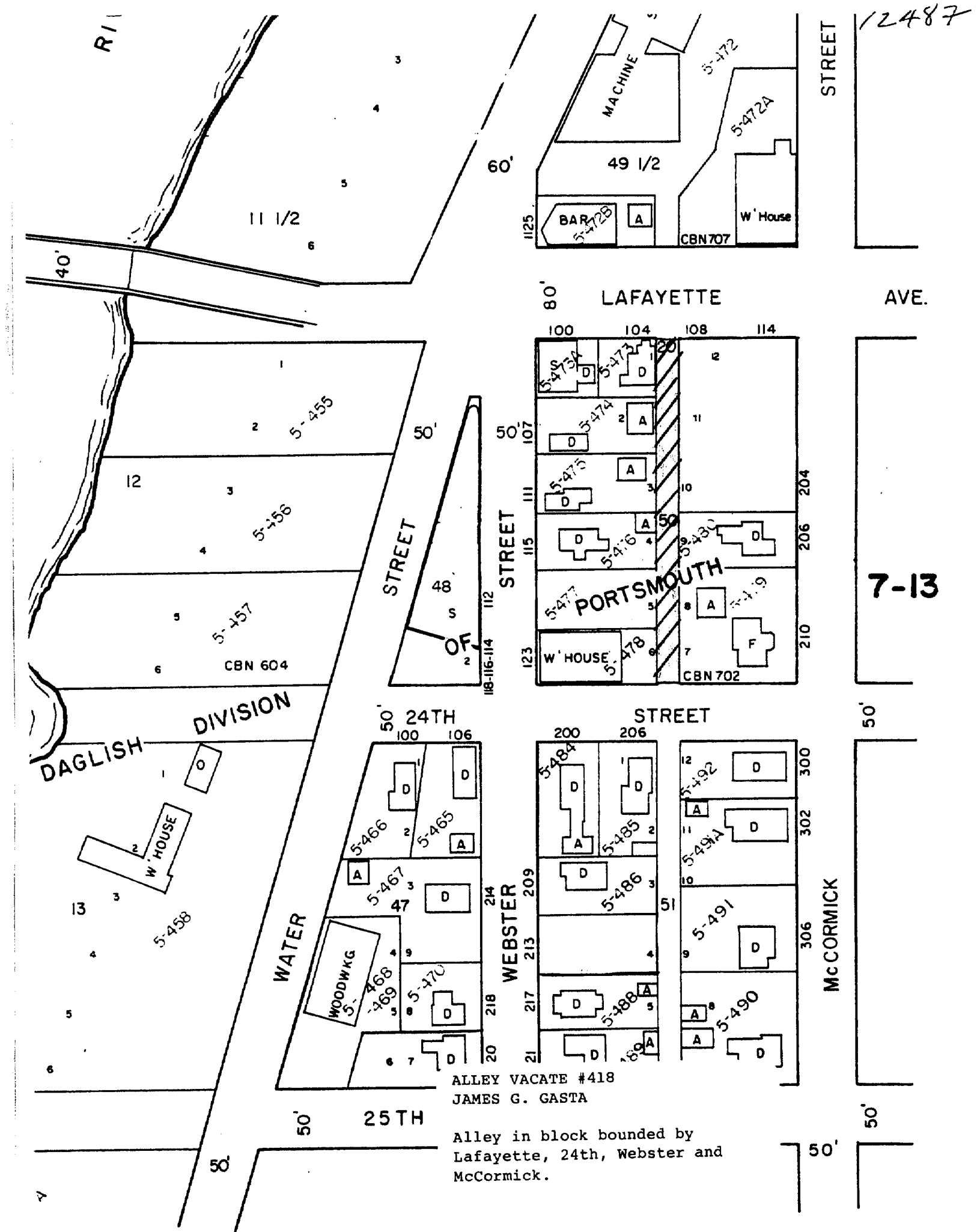
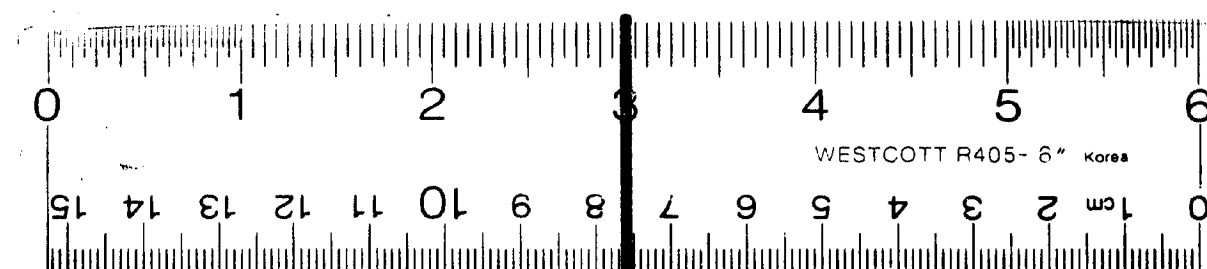
installing lines; and that a sign(s) be erected reading "Alley Closed", said sign to be paid for by benefiting property owners.

Commissioner Lock moved to allow public input. There was no objection. No one came forward.

Commissioner Sheppard moved adoption of resolution.

Adopted by the following vote:  
Yes, Commissioners Sheppard, Banaszak, Lock, Gwizdzala, Kall, Hutter, Newsham, Schram, 8  
No, None

RECORDED



16 X



July 6, 1983

Department of Treasury  
Bureau of Local Government Services  
2nd Floor, Treasury Building  
Lansing, Michigan 48922

Gentlemen:

Pursuant to Section 256 of the new Subdivision Act of 267 (Public Act 288), we herewith submit a certified copy of the resolution vacating Jennison Street between 33rd and 34th Streets. This street is located in the Daglish Division of Portsmouth.

A sketch from the Planning Office which identifies the area affected is also attached.

Sincerely,

CITY OF BAY CITY

*Walter Wozniak, Jr.*  
Walter Wozniak, Jr.  
City Clerk

WW:cd

Att.

## City of Bay City

301 WASHINGTON AVE.  
BAY CITY, MICHIGAN 48706  
AREA CODE 517 - 894-8200

12487

CLB-3c

LIBER 939 PAGE 412  
CITY OF BAY CITY, MICH.  
OFFICE OF CITY CLERK

AFFIDAVIT

STATE OF MICHIGAN  
COUNTY OF BAY  
CITY OF BAY CITY

I, Walter Wozniak, Jr., 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 August 9, 1982

with the original on file in this 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

14th day of June 19 83

*Walter Wozniak, Jr.*  
Walter Wozniak, Jr., City Clerk

### SPECIAL ORDER

Of Commission as a Whole:

Whereas, the Planning Commission held a public hearing to consider the petition of Trinity Evangelical Lutheran Church to vacate Jennison Street between 33rd Street and 34th Street, and

Whereas, the Planning Commission recommended that same be vacated, and

Whereas, a resolution was adopted by the City Commission on June 28, 1982, 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 July 8, 15, 22 and 29, 1982, relative to the aforesaid hearing and certified notices thereof having been mailed to the public utilities and abutting property owners, and

Whereas, a public hearing was held by the City Commission on August 2, 1982, relative to the aforesaid petition for said vacation.

Now, Therefore, Be It Resolved and Ordered, by the City Commission that:

Jennison Street between 33rd and 34th Streets be vacated with utility easement being retained.

### Rules Suspended

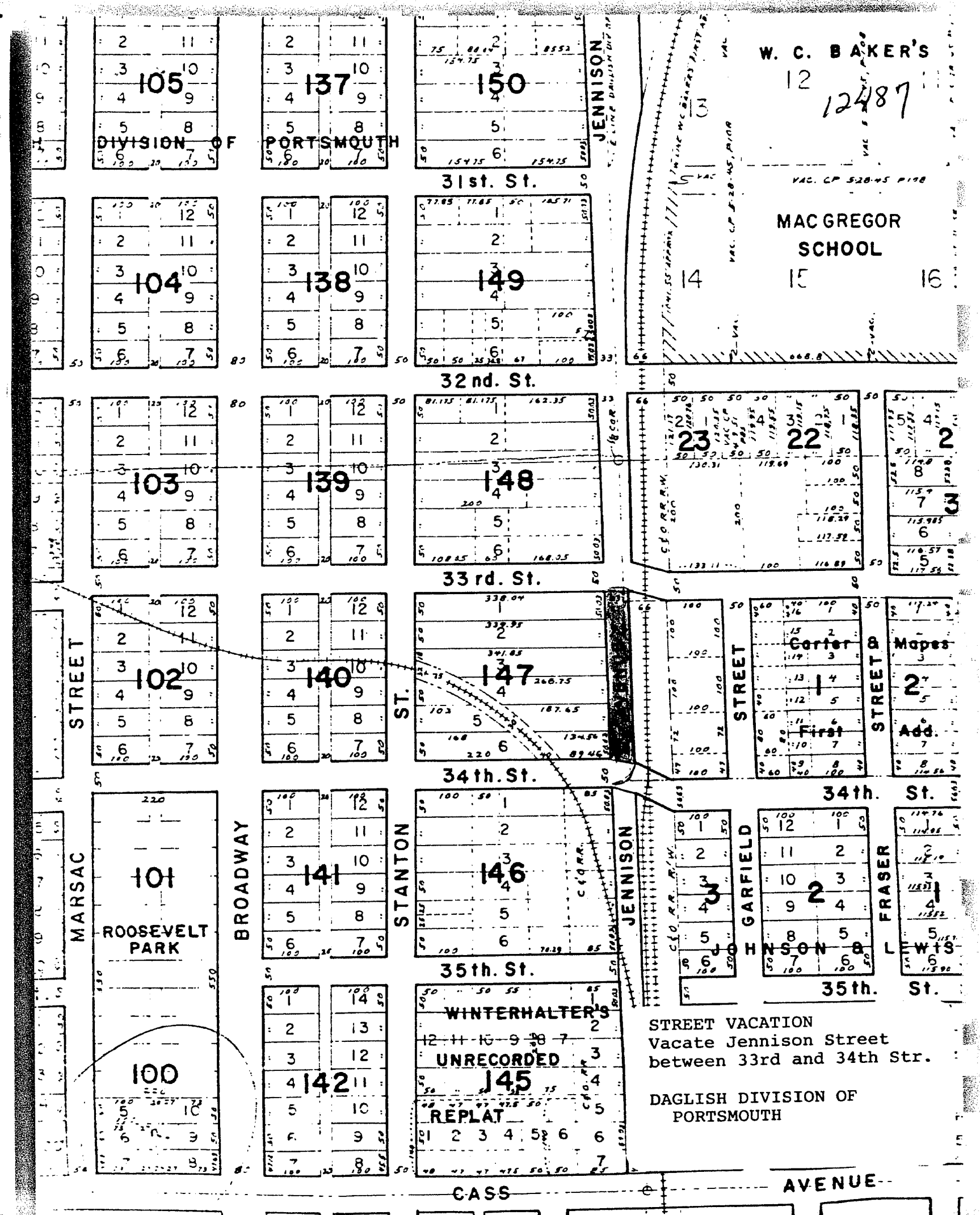
Commissioner Laskowski moved to suspend the rules to allow interested persons in the audience to speak concerning said vacation. No one appeared.

Commissioner Laskowski moved adoption of resolution vacating Jennison Street between 33rd and 34th Streets.

Adopted by the following vote —  
Yes: Commissioners Sullivan, Vandervill, Mochrie, Ludwig, Laskowski, Martindale, Baird, Sutter, Hartman, 9.  
No: None.

5282561: 0300:~

12487



RECORDED

1983 JUN 28 PM 3:41

REGISTER OF DEEDS  
BAY COUNTY, MICHIGAN

STREET VACATION  
Vacate Jennison Street  
between 33rd and 34th Str.  
DAGLISH DIVISION OF  
PORTSMOUTH



12487  
CITY OF BAY CITY  
BAY CITY, MICHIGAN 48706  
Area Code 517 894-8200

July 6, 1982

Department of Treasury  
Bureau of Local Government Services  
2nd Floor, Treasury Building  
Lansing, Michigan 48922

Gentlemen:

Pursuant to Section 256 of the new Subdivision Act of 267 (Public Act 288), we herewith submit a certified copy of the resolution closing the alley in the block bounded by 27th, Marsac, 28th and Wilson Streets. This alley is located in the Division of Portsmouth.

A sketch from the Planning office which identifies the area affected is also attached.

Sincerely,

CITY OF BAY CITY

*Walter Wozniak, Jr.*  
Walter Wozniak, Jr.  
City Clerk

WW:cd

Enclosures

CLB-3c

LIBER 922 PAGE 39  
CITY OF BAY CITY, MICH.  
OFFICE OF CITY CLERK  
(AFFIDAVIT)

555 321 496 0300

12487

1982 JUN 21 PM 4:13

RECORDED

STATE OF MICHIGAN  
COUNTY OF BAY  
CITY OF BAY CITY

I, Walter Wozniak, Jr. 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 Bay City

held June 7, 1982

with the original on file in this office and that it is a true and correct

transcript therefrom and of the whole of such original.

**SPECIAL ORDER**  
Of Commission as a Whole:  
Whereas, the Planning Commission held a public hearing to consider vacating and closing the alley in the block bounded by 27th, Marsac, 28th and Wilson Streets, and  
Whereas, the Planning Commission recommended that same be closed and vacated, and  
Whereas, a resolution was adopted by the City Commission on May 3, 1982, 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 May 13, 26, 27 and June 3, 1982, relative to the aforesaid hearing and certified notices thereof having been mailed to the public utilities and abutting property owners, and  
Whereas, a public hearing was held by the City Commission on June 7, 1982, relative to the aforesaid petition for said vacation,  
Now, Therefore, Be It Resolved And Ordered by the City Commission that: the alley in the block bounded by 27th, Marsac, 28th and Wilson Street be and hereby is closed with utility easement being retained and with the condition that no permanent structure be placed in the alley 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.

In Witness Whereof, I have hereunto set my hand affixed the  
Corporate Seal of the City of Bay City, Mich., this

15th day of June 1982

*Walter Wozniak, Jr.*  
Walter Wozniak, Jr., City Clerk

**Rules Suspended**

Commissioner Sullivan moved to suspend the rules and Public Hearing be held to permit interested persons in the audience to be heard. There was no objection.

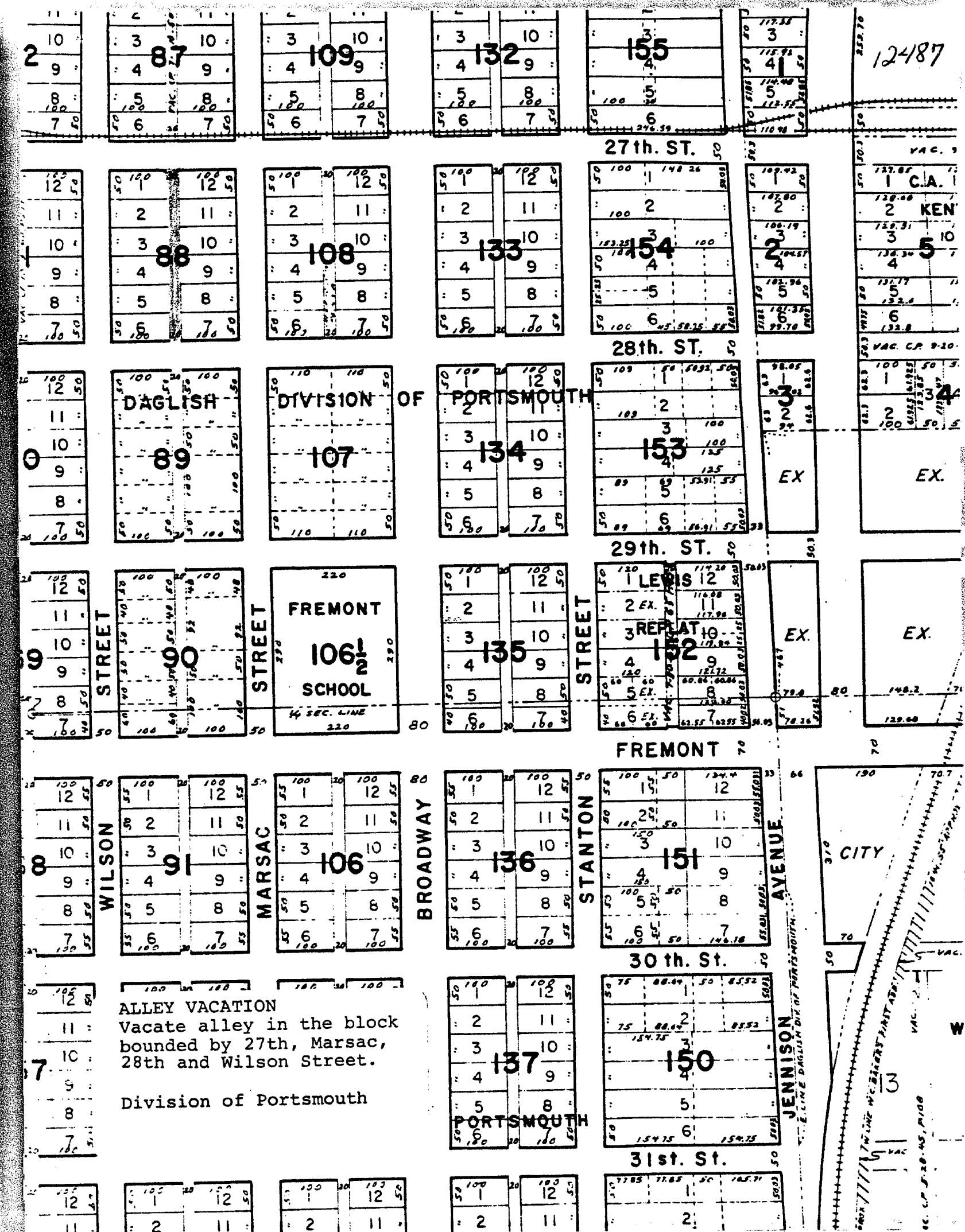
Ms. Cathy Near, 1020 N. Hemlock, stated that she represented her fiancé, Robert Wheatley of 711 Wilson regarding the closing of the alley between 27th, Marsac, 28th and Wilson. She stated that her fiancé's garage opens into the alley right off of Wilson and 28th Streets. It was noted that there would be no problem with closing the alley with the exception of the South 50 feet since Mr. Wheatley needs the full width of the alley to get in and out of his garage.

Mr. Louis Prieur, Jr., 804 Marsac, stated that he represented the people who petitioned to have the alley closed. They did not object to the closing of the alley to 27th Street.

Returned to regular order of business.

Commissioner Sullivan moved that alley in the block bounded by 27th, Marsac, 28th and Wilson Streets be closed with the exception of the south fifty feet.

Adopted by the following vote —  
Yes, Commissioner Sullivan, Mochrie, Ludwig, Laskowski, Martindale, Baird, Sutter, Hartman, &  
No, None.





12487  
CITY OF BAY CITY  
BAY CITY, MICHIGAN 48706  
Area Code 517 894-8200

June 10, 1982

Department of Treasury  
Bureau of Local Government Services  
2nd Floor, Treasury Building  
Lansing, Michigan 48922

Gentlemen:

Pursuant to Section 256 of the new Subdivision Act of 267 (Public Act 288), we herewith submit a certified copy of the resolution vacating the alley in the block bounded by Wilson, McCormick, Fremont and 30th Streets. This alley is located in the Daglish Division of Portsmouth.

A sketch from the Planning office which identifies the area affected is also herewith attached.

Sincerely,

CITY OF BAY CITY

*Walter Wozniak, Jr.*  
Walter Wozniak, Jr.  
City Clerk

WW:cd

Enclosures

CLB-3c

LEER 920 PAGE 721  
CITY OF BAY CITY, MICH.  
OFFICE OF CITY CLERK  
(AFFIDAVIT)

STATE OF MICHIGAN  
COUNTY OF BAY  
CITY OF BAY CITY

I, Walter Wozniak, Jr. 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 Bay City held on April 12, 1982

with the original on file in this 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

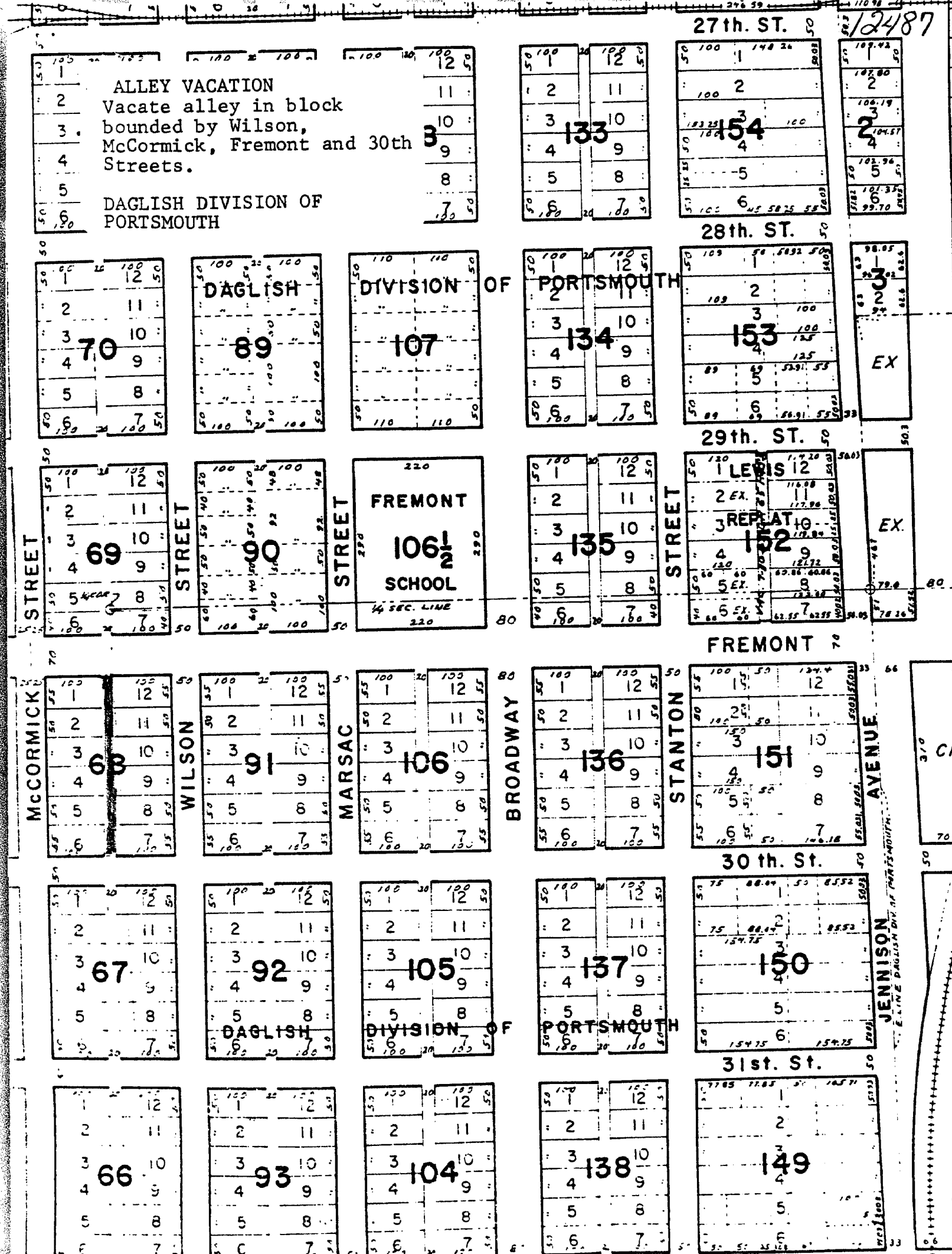
14th day of May 1982

*Walter Wozniak, Jr.*  
City Clerk

**SPECIAL ORDER**  
Of Commission as a Whole:  
Whereas, the Planning Commission held a public hearing to consider the petition of Fremont Avenue United Methodist Church to vacate the alley in the block bounded by Wilson, McCormick, Fremont and 30th Streets, and  
Whereas, the Planning Commission recommended that same be closed and vacated, and  
Whereas, a resolution was adopted by the City Commission on March 1, 1982, 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 March 18, March 25, April 1 and April 8, 1982, relative to the aforesaid hearing and certified notices thereof having been mailed to the public utilities and abutting property owners, and  
Whereas, a public hearing was held by the City Commission on April 12, 1982, relative to the aforesaid petition for said vacation.  
Now, Therefore, Be It Resolved And Ordered, by the City Commission

that:  
the alley in the block bounded by Wilson, McCormick, Fremont and 30th Streets be and hereby is closed and vacated with utility easement being vacated on the north 200 feet of said alley provided that the vacation of the utility easement not become final until it is certified that each affected utility company states in writing that their lines have been relocated or discontinued. Also, with the condition that no fences or buildings be constructed on the south 100 feet of said alley.

**PUBLIC HEARING**  
Commissioner Martindale moved to suspend the rules and public hearing be held to permit anyone in the audience to speak regarding the closing and vacation of the alley. There was no objection. No one appeared.  
Commissioner Laskowski moved adoption of resolution to close and vacate alley.  
Adopted by the following vote —  
Yes: Commissioners Sullivan, Vanderwill, Mochrie, Ludwig, Laskowski, Martindale, Baird, Sutter, Hartman, 9.  
No: None.





SEP 28 1984  
12487  
City of Bay City

301 WASHINGTON AVE.  
BAY CITY, MICHIGAN 48706  
AREA CODE 517 - 894-8200

September 26, 1984

Department of Treasury  
Bureau of Local Government Services  
2nd Floor, Treasury Building  
Lansing, Michigan 48922

Gentlemen:

Pursuant to Section 256 of the New Subdivision Act of 267 (Public Act 2-8), we herewith submit a certified copy of the resolution vacating the alley in the block bounded by 28th, 29th, Wilson and McCormick Streets. This alley is located in Daglish Division of Portsmouth.

A sketch from the Planning Office which identifies the area affected is also attached.

Sincerely,

CITY OF BAY CITY

Walter Wozniak, Jr.  
City Clerk

WW:cd

Att.

LIBER 967 PAGE 733  
CITY OF BAY CITY, MICH.  
OFFICE OF CITY CLERK  
(AFFIDAVIT)

555 192489: 07901-

12487

STATE OF MICHIGAN  
COUNTY OF BAY  
CITY OF BAY CITY

I, Walter Wozniak, Jr., 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 July 2, 1984

with the original on file in this 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 September 19 84  
Walter Wozniak, Jr., City Clerk  
RECORDED  
2 02 PM '84

## Of City Manager and Planning

## Director:

It is recommended that the following resolution regarding vacation of the alley in the block bounded by 28th, 29th, Wilson, and McCormick Streets be approved:

Whereas, at the April 18, 1984 meeting of the Bay City Planning Commission the referral of the City Commission (CP 3/19/84) pertaining to the vacation of the alley in the block bounded by 28th, 29th, Wilson and McCormick Streets was further discussed. The following summarizes the findings:

1. Alley has not been improved with stone base.
2. Alley has functioned adequately in the past because of very limited use.
3. Recently, use of the alley has increased resulting in its becoming a series of ruts and holes. Mud is being tracked onto adjoining streets.
4. The cost of removing soil and installing stone is estimated at \$3,124.09.
5. The cost of constructing a proper alley can be assessed.
6. There is no past practice of assessing residential alley improvements to abutting residential property owners.
7. Maintenance costs and insurance costs cannot be assessed to abutting property owners.
8. One property owner, Mr. Kennedy, makes occasional use of the alley and desires to keep the alley open.
9. Vacation of this alley is consistent with the Planning Commission policy of recommending vacation of a residential alley when the alley is not needed as the only access to a garage or rear yard, and

Whereas, it is the recommendation of the Planning Commission that this alley be vacated because it will cause no undue hardship on abutting land owners; utility easements are to be retained, and

Whereas, a resolution was adopted on May 21, 1984 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 May 31, June 7, June 14, and June 21, 1984, 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 by the City Commission on July 2, 1984 relative to the aforesaid petition for said vacation.

Now Therefore, Be It Resolved And Ordered by the City Commission that:

The alley in the block bounded by 28th, 29th, Wilson and McCormick Streets; said alley being located in Block 70, Daglish Division of Portsmouth, be and hereby is closed and vacated with utility easements being retained, and with the condition that no permanent structures be placed in the alley 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.

## PUBLIC HEARING

Commissioner Baird moved that rules be suspended to allow any interested persons in the audience to speak regarding the proposed alley vacation. There was no objection.

Mr. Roger Jaynes stated that everyone is in agreement to close the alley in the block bounded by 28th, 29th, Wilson and McCormick Streets. He noted that at one time there was opposition to closing of the alley, but there isn't at this time. Most of the people, with the exception of himself and his neighbor, have fences along the alley. The person who previously was not in favor of the closing has access to his yard from the street.

Commissioner Bleau moved adoption of resolution.

Adopted by the following vote —  
Yes, Commissioners Savage, Mochrie, Bleau, Martindale, Baird, Buda, Hartman, 7.

No, Commissioner Laskowski, 1.



CITY OF BAY CITY, MICH.  
OFFICE OF CITY CLERK

(AFFIDAVIT)

STATE OF MICHIGAN

COUNTY OF BAY  
CITY OF BAY CITY304  
12487I, Walter Wozniak, Jr. Clerk of the City of BayCity, County and State aforesaid, Do hereby Certify, that I have compared the  
annexed excerpt from the regular meeting of the City Commission held September  
5, 1972with the original on file in this office and that it is a true and correct  
transcript therefrom and of the whole of such original.**SPECIAL ORDER**

Of Commission as a Whole:

Whereas, Maurice Blann, Stalker Realty, on July 17, 1972, petitioned this commission to close the alley running north and south between Lafayette and Marsac, 22nd and Wilson Streets, as set forth in said petition;

And Whereas, the planning commission recommended that same be closed and vacated;

And Whereas, it appears that the closing and vacating thereof would constitute an improvement and advantage to both the city and the adjacent property owners;

And Whereas, a resolution was adopted by the city commission on August 7, 1972, ordering publication of notices and holding of a hearing; said notices having been published in the Bay City Democrat, the official newspaper of the City of Bay City, on August 10, 17, 24 and 31, 1972, relative to the aforesaid hearing; and certified notice thereof having been mailed to the railroads and public utilities, and to the abutting property owners;

And Whereas, a public hearing was held by the city commission on September 5, 1972, relative to the aforesaid petition for said closing;

Now, Therefore, Be It Resolved and Ordered, by the City Commission that the alley running north and south in Block 83½ Daglish's Division of Portsmouth, being the alley in the south half of the block bound-

In Witness Whereof, I have hereunto set my hand affixed the  
Corporate Seal of the City of Bay City, Mich., this26th day of September 19 72Walter Wozniak Jr.

City Clerk

ed by Marsac, 22nd, Wilson and Lafayette Avenue be and the same is hereby closed and vacated.

**RULES SUSPENDED**

Commissioner Hartley moved that rules be suspended to allow any interested persons to speak. There was no objection. No one appeared.

Commissioner Hartley moved for adoption of the resolution. Adopted unanimously.



85

ALBANY ST.

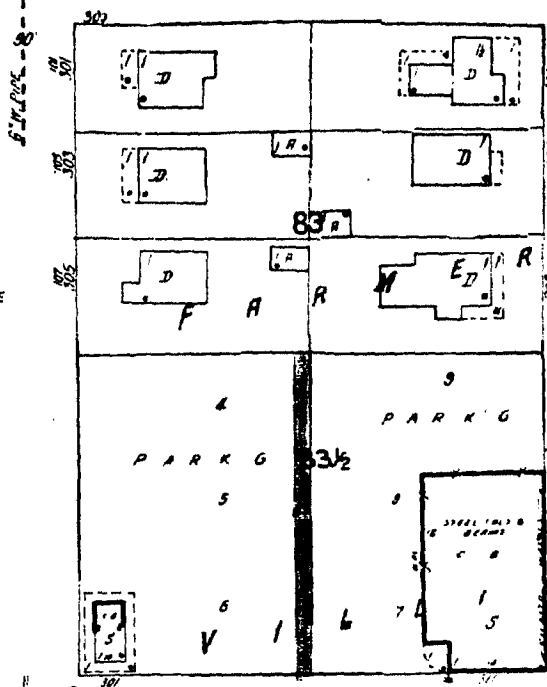
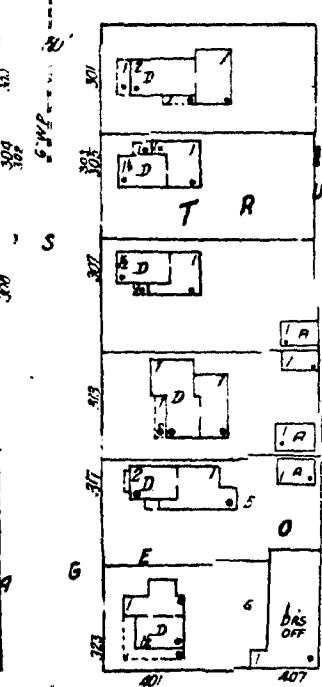
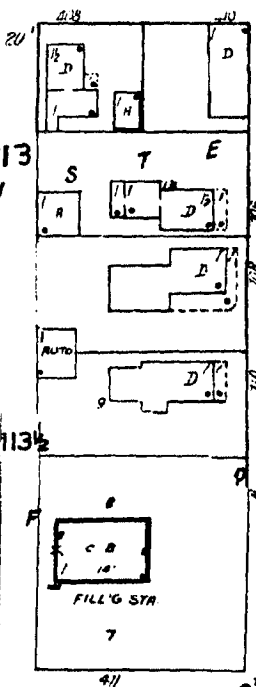
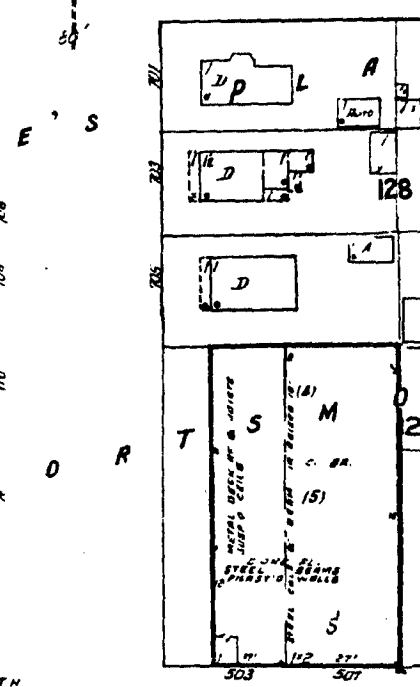
74

ALBANY ST.

12487

76

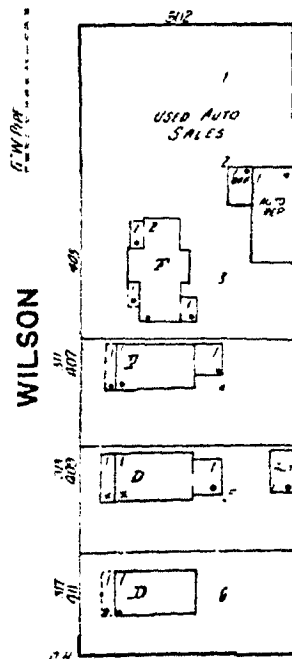
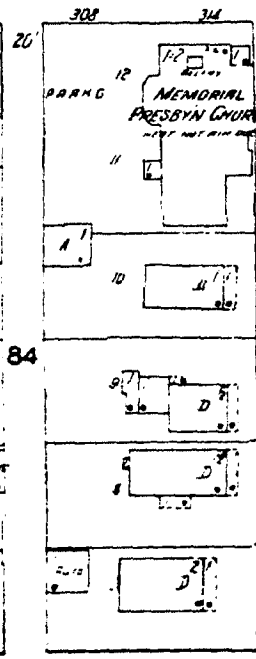
22ND ST.



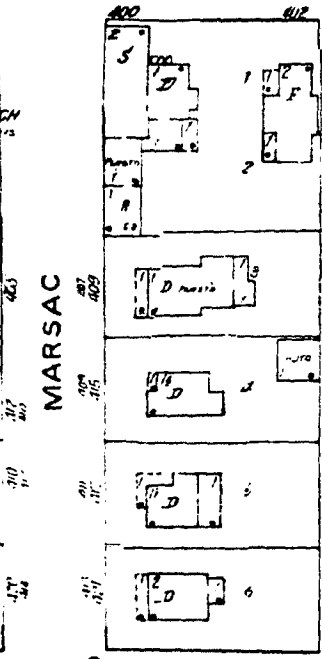
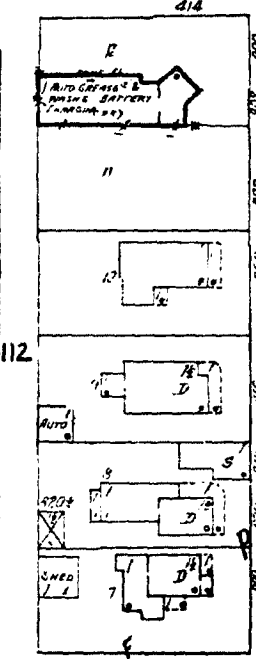
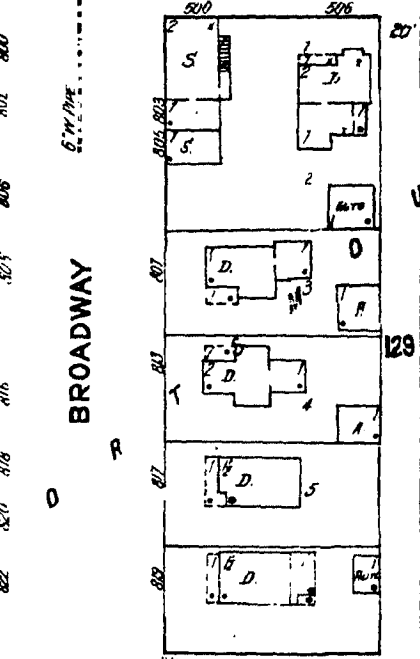
LAFAYETTE AV.

83

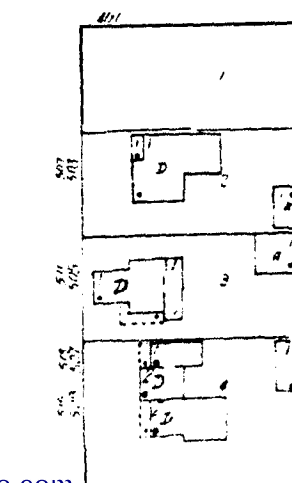
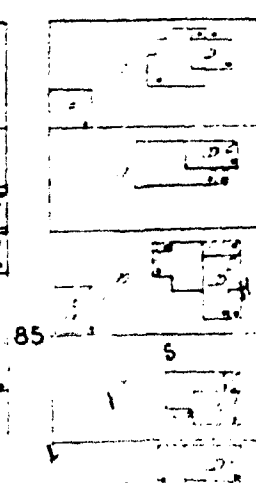
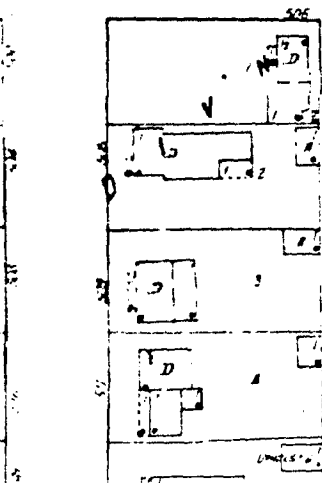
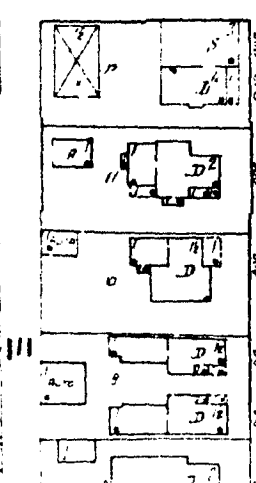
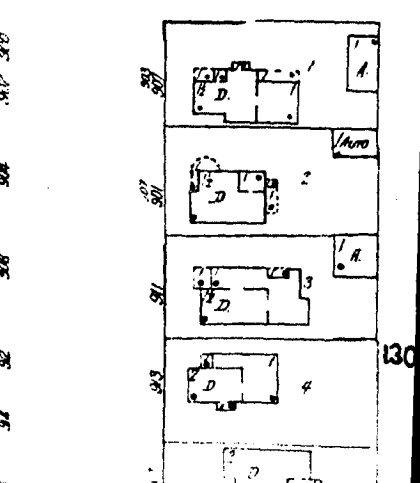
WILSON



MARSAC



24TH ST.



12487



CITY OF BAY CITY  
BAY CITY, MICHIGAN 48705  
Area Code 517 893-7511

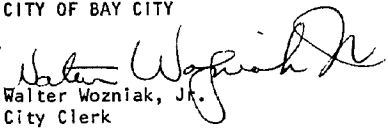
November 7, 1980

Department of Treasury  
Bureau of Local Government Services  
2nd Floor, Treasury Building  
Lansing, Michigan 48922

Gentlemen:

Pursuant to Section 256 of the new Subdivision Act of 267 (Public Act 288), we hereby submit a certified copy of the resolution vacating the alley in the block bounded by 31st, 32nd, Taylor and Polk Streets. The alley is located in Daglish Division of Portsmouth.

A sketch from the Planning office which identifies the area is also herewith attached.

Yours very truly,  
CITY OF BAY CITY  
  
Walter Wozniak, Jr.  
City Clerk

W:ve  
enc.

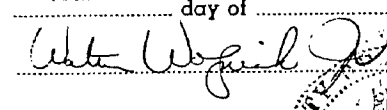
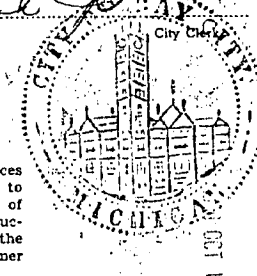
LIBER 833 PAGE 850  
CITY OF BAY CITY, MICH.  
OFFICE OF CITY CLERK  
(ATTACHED)

STATE OF MICHIGAN  
COUNTY OF BAY  
CITY OF BAY CITY

I, Walter Wozniak, Jr., 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 Bay City held October 6, 1980

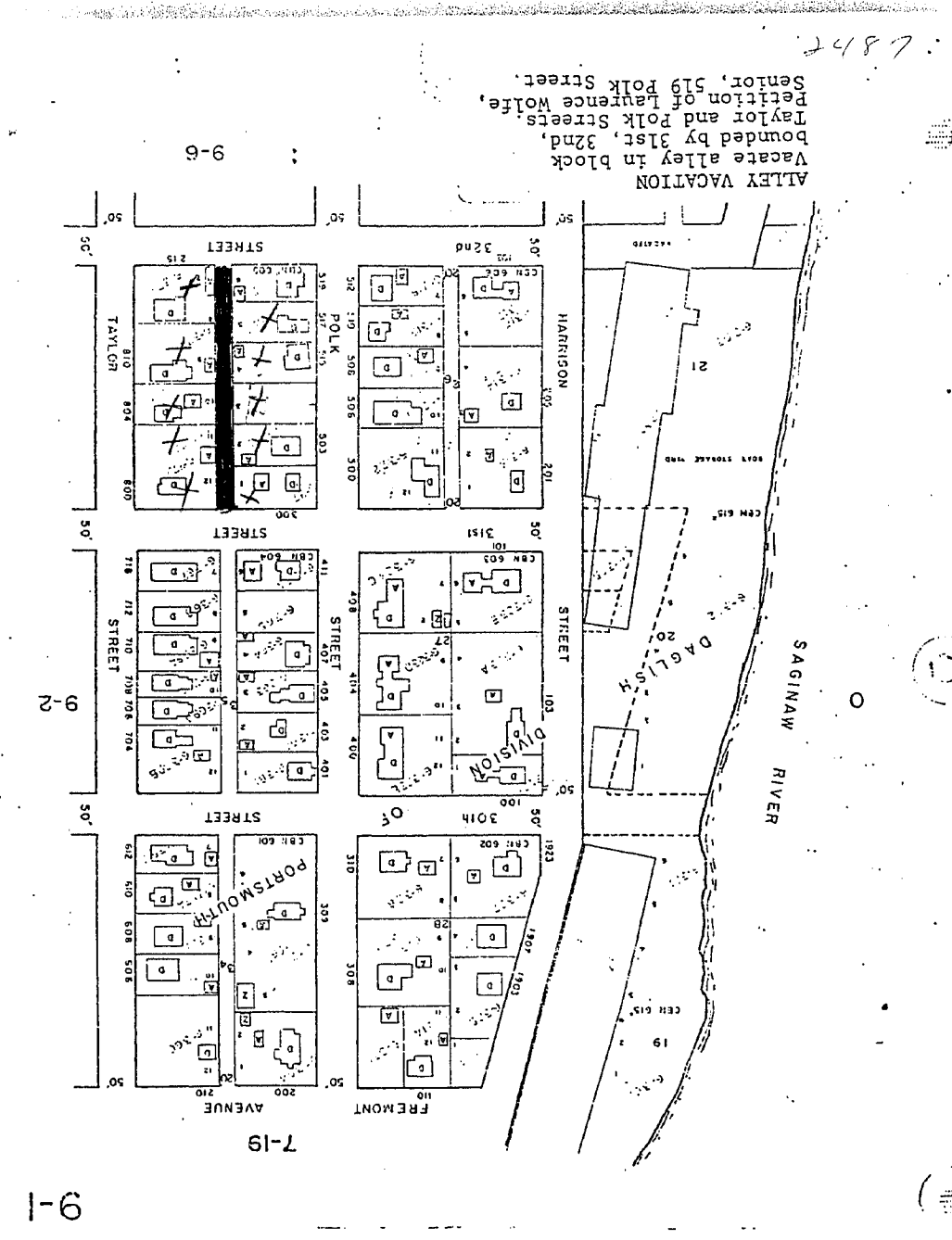
with the original on file in this office and that it is a true and correct transcript therefrom and of the whole of such original.

In Witness Whereof, I have hereunto set my hand affixed the Corporate Seal of the City of Bay City, Mich., this 10th day of October 19 80

**SPECIAL ORDER**  
Of Commission as a Whole:  
Whereas, the Planning Commission held a public hearing to consider vacating the alley in the block bounded by 31st, 32nd, Taylor and Polk Streets, and  
Whereas, the Planning Commission recommended that same be closed and vacated, and  
Whereas, a resolution was adopted by the City Commission on July 7, 1980, 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 July 23, 31, August 7 and 14, 1980, relative to the aforesaid hearing and certified notices thereof having been mailed to the public utilities and abutting property owners, and  
Whereas, a public hearing was held by the City Commission on October 6, 1980, relative to the aforesaid petition for said vacation,  
Now, Therefore, Be It Resolved and Ordered, by the City Commission that:  
the alley in the block bounded by 31st, 32nd, Taylor and Polk Streets  
be and hereby is closed with utility easements being retained and on condition that no permanent buildings or structures be erected and if fences are erected they must be designed to be readily removable. The cost of removing fences or any other obstructions on the utility easement are the responsibility of the property owner and not the utility company.

**PUBLIC HEARING**  
Commissioner Gieda moved to suspend the rules and Public Hearing be held regarding the proposed closing of the alley. There was no objection. No one appeared.  
Commissioner Gieda moved adoption of resolution.  
Adopted by the following vote —  
Yes: Commissioners Sullivan, Van Derwil, Snyder, Gieda, Winters, Toth, Buja, Kleinbaum, 8.  
No: None.



PLAT ---- PART OF THE ENGLISH DIVISION OF PORTSMOUTH IN RAY CITY, MICHIGAN.

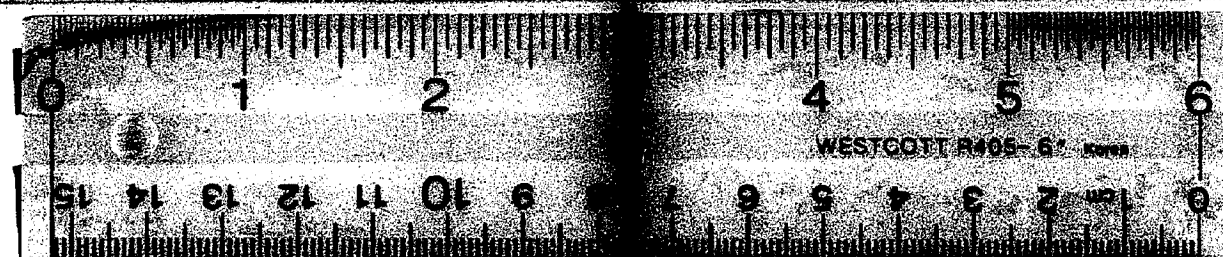
In the matter  
of the Petition of the  
City of Ray City pray-  
ing for an order to va-  
cate Blocks Numbers sixty-  
two (62), sixty-three  
(63), sixty-four (64), and  
sixty-five (65) of the  
City of Ray City, of En-  
glish Division of Portsmouth,  
Michigan.

ORDERED, ADJUDGED and RE-  
CORDED, that the following described land and  
premises be vacated as part of the land included  
in the English Division of Portsmouth, in the City  
of Ray City, Michigan; viz: Blocks numbers sixty-  
two (62), sixty-three (63), sixty-four (64), and  
sixty-five (65) of the City of Ray City, of En-  
glish Division of Portsmouth, Michigan.

March 29, 1919.

Samuel C. Houghton,  
Circuit Judge.

Vol. 150. Page 12467.



16 X

PLAT--- PART OF THE ENGLISH DIVISION OF PORTSMOUTH IN BAY CITY, MICHIGAN.

In the matter of the petition of the City of Bay City, praying for an order to vacate blocks numbers Sixty-two (62), Sixty-three (63), Ninety-six (96) and Ninety-seven (97), as part of the land included in the English Division of Portsmouth in the City of Bay City, State of Michigan.

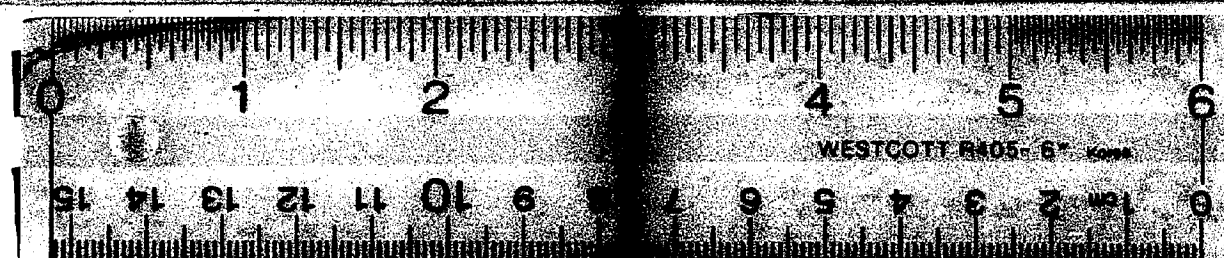
It is ORDERED, ADJUDGED and DECREED, that the following described land and premises be vacated as part of the land included in the English Division of Portsmouth, in the City of Bay City, Michigan; viz: Blocks numbers Sixty-two (62), Sixty-three (63), Ninety-six (96) and Ninety-seven (97) of the City of Bay City of English Division of Portsmouth, Michigan.

March 29, 1919.

Samuel G. Houghton,  
Circuit Judge.

Voucher 397 ----- 1919.

Vol. 180. Page 12487.



16 X