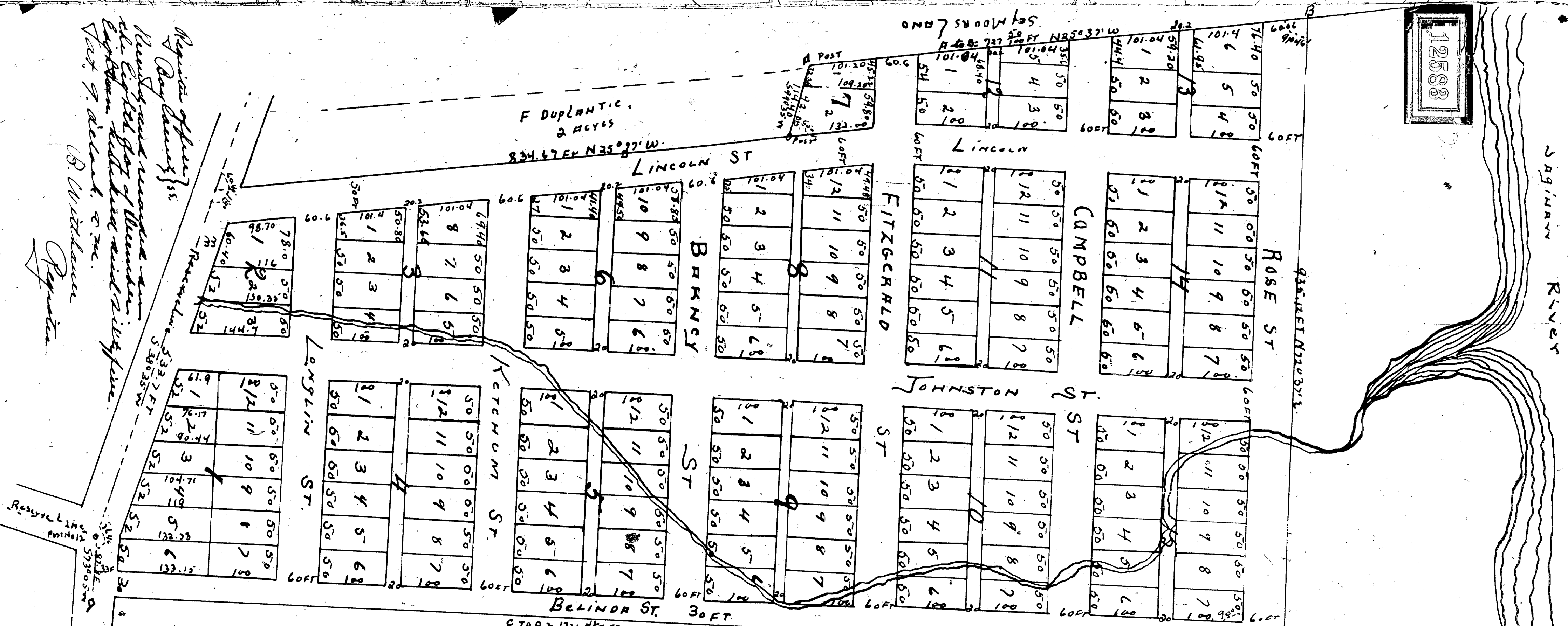


12583

Saginaw River



The land here stated Description
in the No. 22 T. 14 N. R. 5 E. and is more particularly described
as follows: Commencing at Post No. 12 on the Reserve Line
in the 22 T. 14 N. R. 5 E. Thence N. 88° 35' W. (Magnetic Bearing)
533 7/10 ft. to the E. E. corner of land owned by F. Duplantier
Thence N. 25° 37' W. along the East boundary of
Duplantier land 834 6/10 ft. to the N. E. corner of the same.
Thence N. 88° 35' W. along Duplantier North Boundary
114 4/10 ft. to the intersection of the East boundary of
line of Bay main land. Thence N. 25° 37' W. along
said North main East boundary 727 5/10 feet. Thence
N. 72° 37' E. 935 1/10 ft. to the intersection of the West
boundary line of lands owned by Michael Dooly.
Thence N. 17° 23' E. along said Dooly West boundary
1726 4/10 ft. to Point Road leading from Bay City
to the frame Thence N. 73° 05' W. 87 8/10 ft. to the
place of beginning.

I know all men by their presents, that O. W. B. Sears
a Civil Engineer and Surveyor of the County of Saginaw
and State of Michigan on the application & request of
Ellen A. Rose by Henry G. N. Kehring Atty. Proprietor of the
land described in the amended map or Plat. at
Rose addition to the City of Bay City did on the
29th day of August 1865 survey the land described
in said map or Plat. The results and particulars
of which survey are given and stated in said
map or Plat. And the said request and application
I did on the first day of September 1865. Make
the said map or Plat. and all of the entire and
statements therein contained and that the
same was made by me for the use & purpose
herein named, intended and intended and
for no other use or purpose whatever and
that the same is my free act and deed
and that the said survey and map are correct
set my hand and seal. This 3rd day of Dec. 1865.
O. W. B. Sears.
N. Osborn.

MAP OF ROSES ADDITION TO BAY CITY MICHIGAN
SECTION 12 AD. 1865
SCALE 100 FT. = ONE INCH
BY WM B SEARS

State of Michigan } On the 2nd day of Dec. 1865 before me the undersigned a
County of Bay } Notary Public in and for said county, personally appeared
B. Sears to me known to be the same person who signed and executed the above
affidavit and acknowledged that he should do so for the use and purpose
therein and in the amended plat named above and intended and for no other
purpose whatever and that the same was his free act and deed and that he
further acknowledged that he is a Civil Engineer and Surveyor and that he
made said map or Plat. in said county and I further certify that I know said
Sears to be such Surveyor and Civil Engineer. On testimony whereof I have hereunto
set my hand and official seal. This 2nd day of Dec. 1865.
Wm B Sears
Notary Public.

State of Michigan } On the 1st day of Dec. 1865 before me a Notary Public in and
County of Bay } for said county personally appeared Ellen A. Rose by her Atty H. G. N.
Kehring known to me to be the same person who signed and executed the above
acknowledgment and the proprietor of the land described in the amended Plat. she
stated the same for the purpose and use therein and in said map or Plat. named
above and intended and for no other use or purpose whatever and that the
same was her free act and deed and the said O. W. B. Sears by said Atty further acknowledged
that she is the proprietor of the land described in the amended Plat. and that she
had caused a survey of the land named in said map or Plat. to be made by said
Sears a Civil Engineer and Surveyor of Saginaw County and the amended Plat.
to be made by said Sears for the purpose of laying out an addition to be called
Rose Addition to Bay City by Union of the Ordinances of Chapter 28 of the compiled
laws of the State of Michigan and the amendments thereto in force and that
she wished said map or Plat. recorded according to said laws. On testimony whereof
I have hereunto set my hand and official seal. This 1st day of Dec. 1865.
O. W. B. Sears
Notary Public.

I hereby certify that this Plat is a correct copy of the Plat now on record
in the Register of Deeds office, being made under the supervision of the
Auditor General by tracing the Plat on record and affixing thereto a carefully
comparative copy of the certificate. Dated this 16th day of Aug 1868
Ray C. Warner Clerk, and then kept.



12583
JAN 24 1995

City of Bay City

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

January 19, 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 utility easements in the east-west alley in the block bounded by Ketchum Street, Johnson Street, vacated Longton Street and vacated McLellan Street, Rose's Addition. A sketch from the Planning Office which identifies the area affected is also attached. The alley was originally vacated in 1984 and the easements in the west 100 feet of the vacated alley were vacated in 1986.

If you have any questions, please contact my office at (517) 894-6168.

Sincerely,

CITY OF BAY CITY

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

Enclosure

CLB-3c

LIBER 1317 PAGE 805

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 17, 1994,

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

31st day of October 19 94

Connie M. Deford
Connie M. Deford, City Clerk

Of City Manager:

In a review of the alley in Block 4 of Rose's Addition to Bay City (east-west alley in the block bounded by Ketchum Street, Johnson Street, vacated Longton Street, and vacated McLellan Street), it was found to have been vacated August 20, 1984 with utility easements retained.

As there are no existing sewer or water utilities easements remaining in this alley, it is recommended the City abandon the previously retained easements.

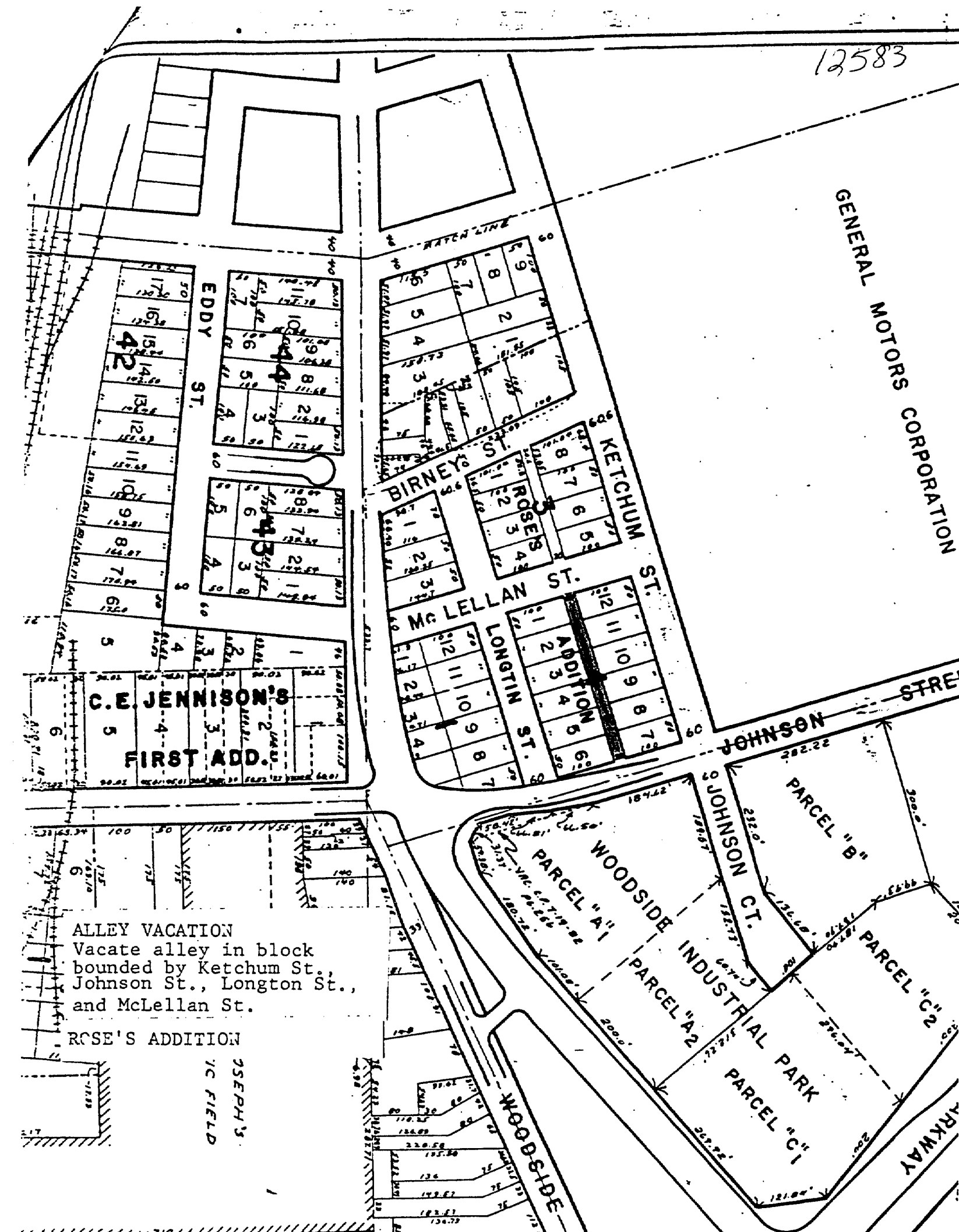
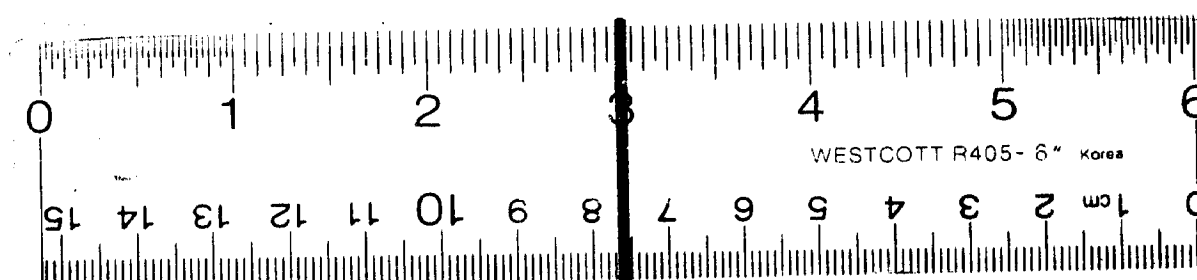
Commissioner Gwizdala moved adoption of recommendation.

Adopted by the following vote:

Yes, Commissioners Sheppard, Banaszak, Lock, Gwizdala, Katt, Hutter, Newsham, Schram, 8.
No, None.

Dec 15 1 53 PM '94
RECEIVED
BAY COUNTY, MICHIGAN

RECORDED



16 X



City of Bay City

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

May 4, 1994

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 utility easements in vacated Longton Street lying between the east line of Birney Street and the west line of Johnson Street, Plat of Rose's Addition.

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
Connie M. Deford, CMC/AM
City Clerk

Enclosure

CLB-3c 1318 PAGE 112

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 meeting held December 20, 1993,

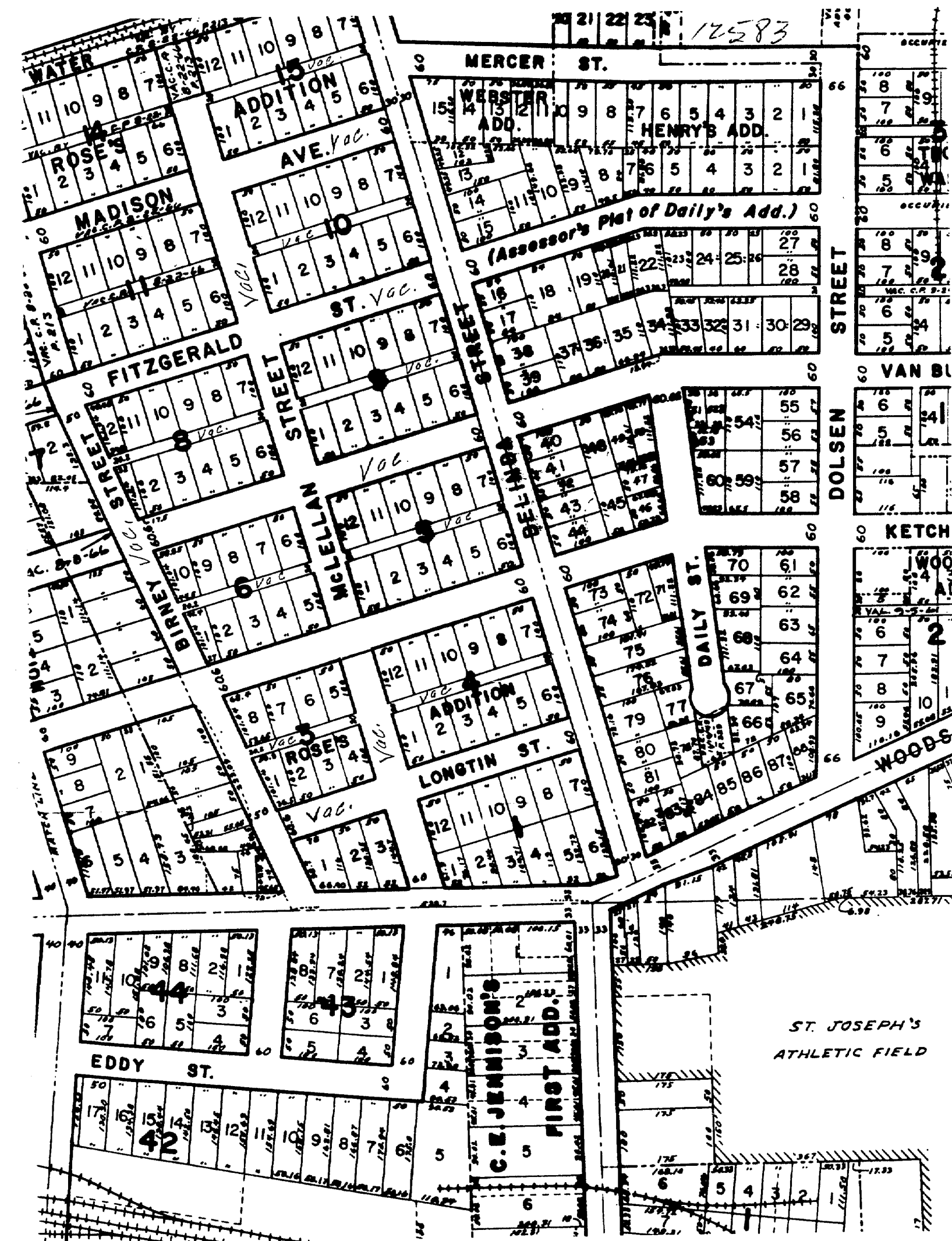
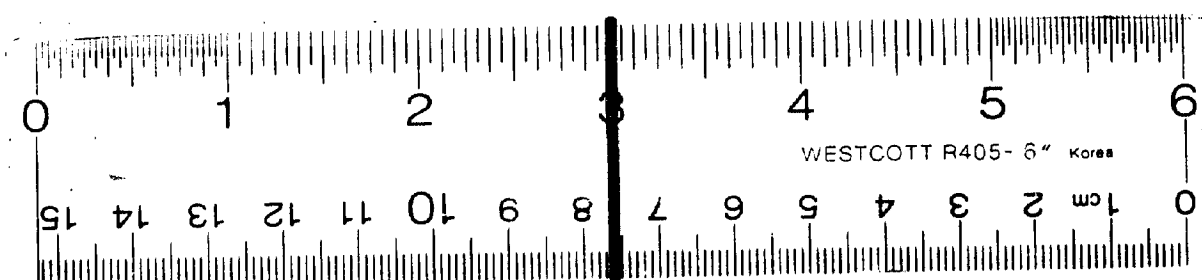
with the original on file in my office and that it is a true and
correct transcript therefrom and of the whole of such original.

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

22nd day of December 19 93

Connie M. Deford
Connie M. Deford, City Clerk

Of City Planner.
Longton Street lying between the east
line of Birney Street and the west line of
Johnson Street. Plat of Rose's Addition.
was vacated with utility easements being
retained. It has been determined that this
utility easement is no longer needed. It is,
therefore, recommended that said ease-
ment be abandoned.
Commissioner Lock moved adoption
of recommendation.
Adopted by the following vote:
Yes, Commissioners Shaw, Shep-
pard, Banaszak, Lock, Gwizdala, Katt,
Hutter, Newsham, Schram. 9.
No, None.



16 X



12583
OCT 03 1984
City of Bay City
301 WASHINGTON AVE.
BAY CITY, MICHIGAN 48706
AREA CODE 517 - 894-8200

October 1, 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 Longton Street between Birney Street and relocated Johnson Street. This section of street is located in Rose's Addition.

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

CL8-3c

CITY OF BAY CITY, MICH.
OFFICE OF CITY CLERK
(AFFIDAVIT)

215596: 0700:~
12583
LIBER 967 PAGE 866

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

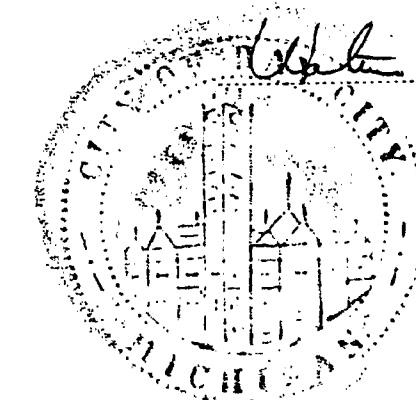
annexed excerpt from the regular meeting of the City Commission of

the City of Bay City held August 20, 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.
Walter Wozniak, Jr., City Clerk ✓

SEP 21 11 16 AM '84
RECEIVED
BAY CITY, MICHIGAN

RECORDED

12583

LIBER 967 PAGE 867

Of City Manager And Planning Director:

It is recommended that the following resolution regarding the vacation of various streets and alleys in the Johnson/Woodside area be approved:

Whereas, the Bay City Planning Commission held a public hearing on Wednesday, June 20, 1984 to consider staff recommendation to vacate the following streets and alleys:

McLellan Street between Ketchum Street and relocated Woodside Avenue;

Alley in the block bounded by Ketchum Street, McLellan Street, Longton Street, and Birney Street;

Alley in the block bounded by Ketchum Street, Johnson Street, Longton Street, and McLellan Street;

Longton Street between Birney Street and relocated Johnson Street;

and

Whereas, the City of Bay City has acquired all abutting properties; and

Whereas, the City of Bay City proposes to subdivide the above land and sell same for light industrial purposes; and

Whereas, said streets and alleys are not needed for purposes of industrial development; and

Whereas, it is the recommendation of the Bay City Planning Commission to vacate said streets and alleys with the usual utility easements being retained; and

Whereas, a resolution was adopted on July 2, 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 July 19, July 26, August 2 and August 9, 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 of Bay City on August 20, 1984 relative to the aforesaid request for vacation.

Now, Therefore, Be It Resolved And Ordered by the City Commission that: the following streets and alleys are hereby closed and vacated:

McLellan Street between Ketchum Street and relocated Woodside Avenue.

Alley in the block bounded by Ketchum Street, McLellan Street, Longton Street, and Birney Street.

Alley in the block bounded by Ketchum Street, Johnson Street, Longton Street, and McLellan Street.

Longton Street between Birney Street and relocated Johnson Street;

Provided, that such streets and alleys are 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 streets and alleys are reserved to and shall remain in the respective owners thereof, together with the Easement and right to occupy said streets and alleys 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 streets and alleys 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

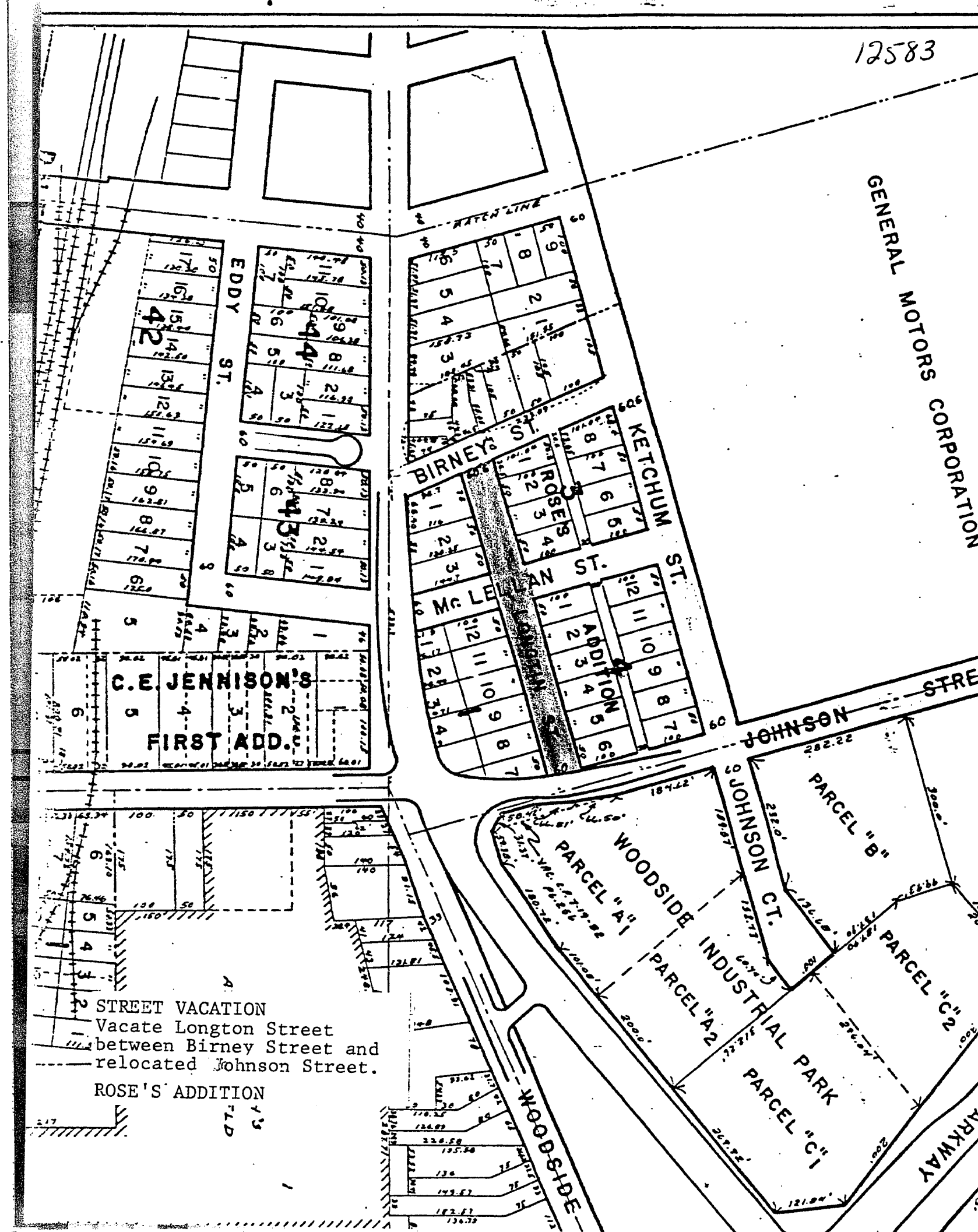
Commissioner Hartman moved to suspend the rules to allow any interested persons in the audience to speak. There was no objection. No one appeared.

Commissioner Hartman moved adoption of resolution.

Adopted by the following vote —

Yes, Commissioners Savage, Mochrie, Bleau, Laskowski, Martindale, Baird, Budca, Hartman, 8.

No, None.





October 1, 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 Ketchum Street, McLellan Street, Longton Street, and Birney Street. This alley is located in Rose's Addition.

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

12583
OCT 2 1984
City of Bay City

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

CLE-3c

CITY OF BAY CITY, MICH.
OFFICE OF CITY CLERK
(AFFIDAVIT)

LIBER 967 PAGE 866

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 20, 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.
Walter Wozniak, Jr., City Clerk ✓

RECORDED
SEP 21 11 46 AM '84
BAY CITY, MICHIGAN

Of City Manager And Planning Director:

It is recommended that the following resolution regarding the vacation of various streets and alleys in the Johnson/Woodside area be approved:

Whereas, the Bay City Planning Commission held a public hearing on Wednesday, June 20, 1984 to consider staff recommendation to vacate the following streets and alleys:

McLellan Street between Ketchum Street and relocated Woodside Avenue:

Alley in the block bounded by Ketchum Street, McLellan Street, Longton Street, and Birney Street;

Alley in the block bounded by Ketchum Street, Johnson Street, Longton Street, and McLellan Street;

Longton Street between Birney Street and relocated Johnson Street;

and

Whereas, the City of Bay City has acquired all abutting properties; and

Whereas, the City of Bay City proposes to subdivide the above land and sell same for light industrial purposes; and

Whereas, said streets and alleys are not needed for purposes of industrial development; and

Whereas, it is the recommendation of the Bay City Planning Commission to vacate said streets and alleys with the usual utility easements being retained; and

Whereas, a resolution was adopted on July 2, 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 July 15, July 26, August 2 and August 9, 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 of Bay City on August 20, 1984 relative to the aforesaid request for vacation.

LIBER 967 PAGE 867

Now, Therefore, Be It Resolved And Ordered by the City Commission that: the following streets and alleys are hereby closed and vacated:

McLellan Street between Ketchum Street and relocated Woodside Avenue.

Alley in the block bounded by Ketchum Street, McLellan Street, Longton Street, and Birney Street.

Alley in the block bounded by Ketchum Street, Johnson Street, Longton Street, and McLellan Street.

Longton Street between Birney Street and relocated Johnson Street;

Provided, that such streets and alleys are 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 streets and alleys are reserved to and shall remain in the respective owners thereof, together with the Easement and right to occupy said streets and alleys 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 streets and alleys 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

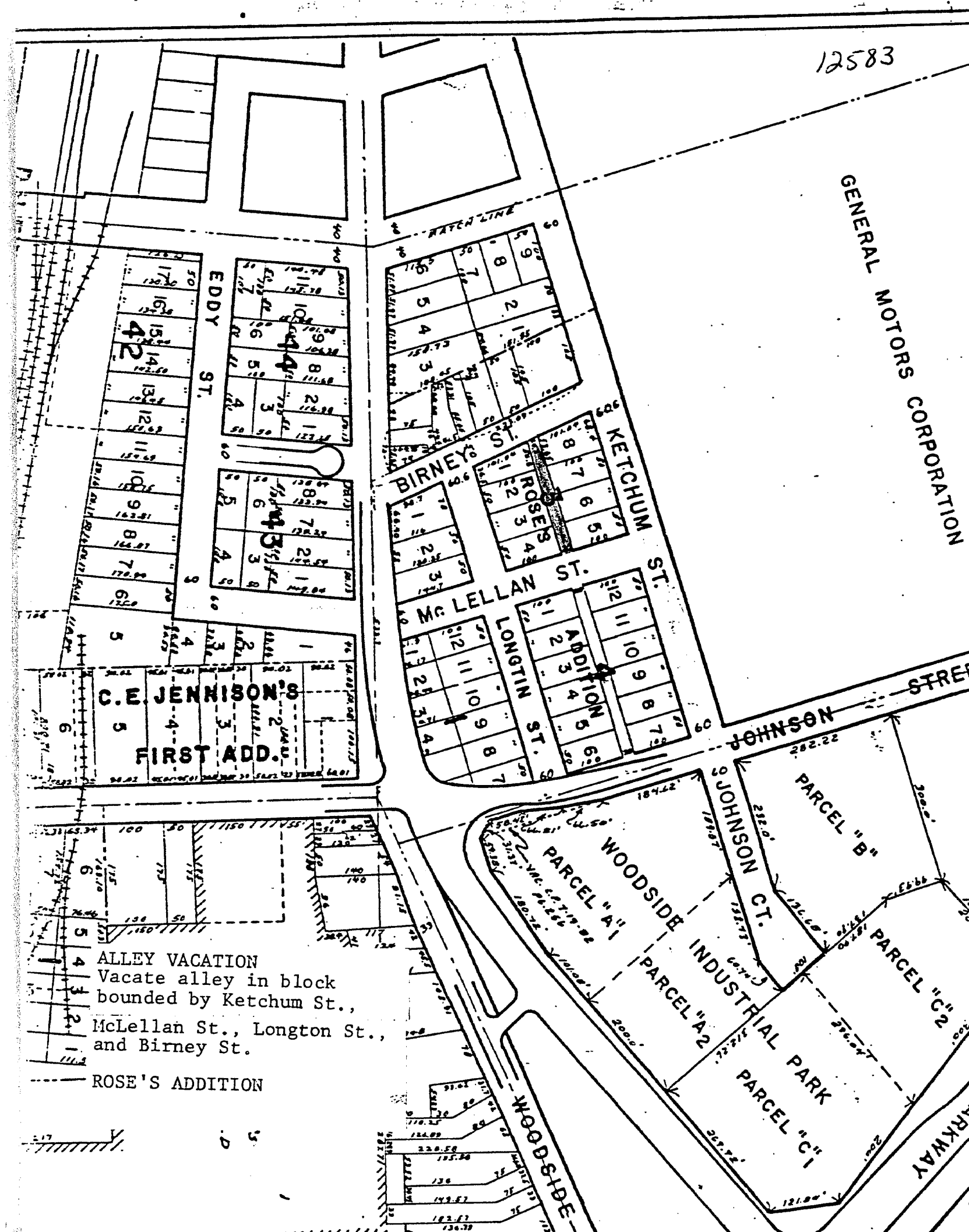
Commissioner Hartman moved to suspend the rules to allow any interested persons in the audience to speak. There was no objection. No one appeared.

Commissioner Hartman moved adoption of resolution.

Adopted by the following vote —

Yes, Commissioners Savage, Mochrie, Bleau, Laskowski, Martindale, Baird, Buda, Hartman, 8.

No, None.





12583
OCT 0 1984

City of Bay City

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

October 1, 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 McLellan Street between Ketchum Street and relocated Woodside Avenue. This section of street is located in Rose's Addition.

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

CL8-3c

CITY OF BAY CITY, MICH.
OFFICE OF CITY CLERK
(AFFIDAVIT)

LIBER 967 PAGE 866

STATE OF MICHIGAN

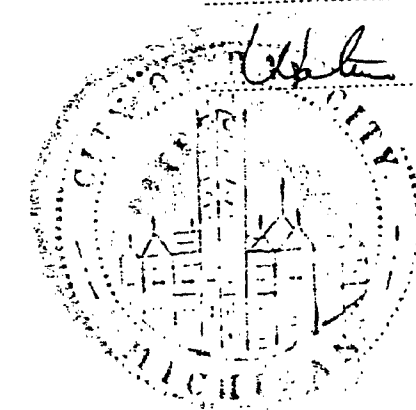
COUNTY OF BAY
CITY OF BAY CITY

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 20, 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.
Walter Wozniak, Jr., City Clerk ✓

RECORDED
SEP 21 11 16 AM '84
BAY CITY, MICHIGAN

Of City Manager And Planning
Director:

It is recommended that the following resolution regarding the vacation of various streets and alleys in the Johnson/Woodside area be approved:

Whereas, the Bay City Planning Commission held a public hearing on Wednesday, June 20, 1984 to consider staff recommendation to vacate the following streets and alleys:

McLellan Street between Ketchum Street and relocated Woodside Avenue;

Alley in the block bounded by Ketchum Street, McLellan Street, Longton Street, and Birney Street;

Alley in the block bounded by Ketchum Street, Johnson Street, Longton Street, and McLellan Street;

Longton Street between Birney Street and relocated Johnson Street;

and

Whereas, the City of Bay City has acquired all abutting properties; and
Whereas, the City of Bay City proposes to subdivide the above land and sell same for light industrial purposes; and

Whereas, said streets and alleys are not needed for purposes of industrial development; and

Whereas, it is the recommendation of the Bay City Planning Commission to vacate said streets and alleys with the usual utility easements being retained; and

Whereas, a resolution was adopted on July 2, 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 July 19, July 26, August 2 and August 9, 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 of Bay City on August 20, 1984 relative to the aforesaid request for vacation.

LIBER 967 PAGE 867

Now, Therefore, Be It Resolved And Ordered by the City Commission that: the following streets and alleys are hereby closed and vacated:

McLellan Street between Ketchum Street and relocated Woodside Avenue.

Alley in the block bounded by Ketchum Street, McLellan Street, Longton Street, and Birney Street.

Alley in the block bounded by Ketchum Street, Johnson Street, Longton Street, and McLellan Street.

Longton Street between Birney Street and relocated Johnson Street;

Provided, that such streets and alleys are 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 streets and alleys are reserved to and shall remain in the respective owners thereof, together with the Easement and right to occupy said streets and alleys 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 streets and alleys 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.

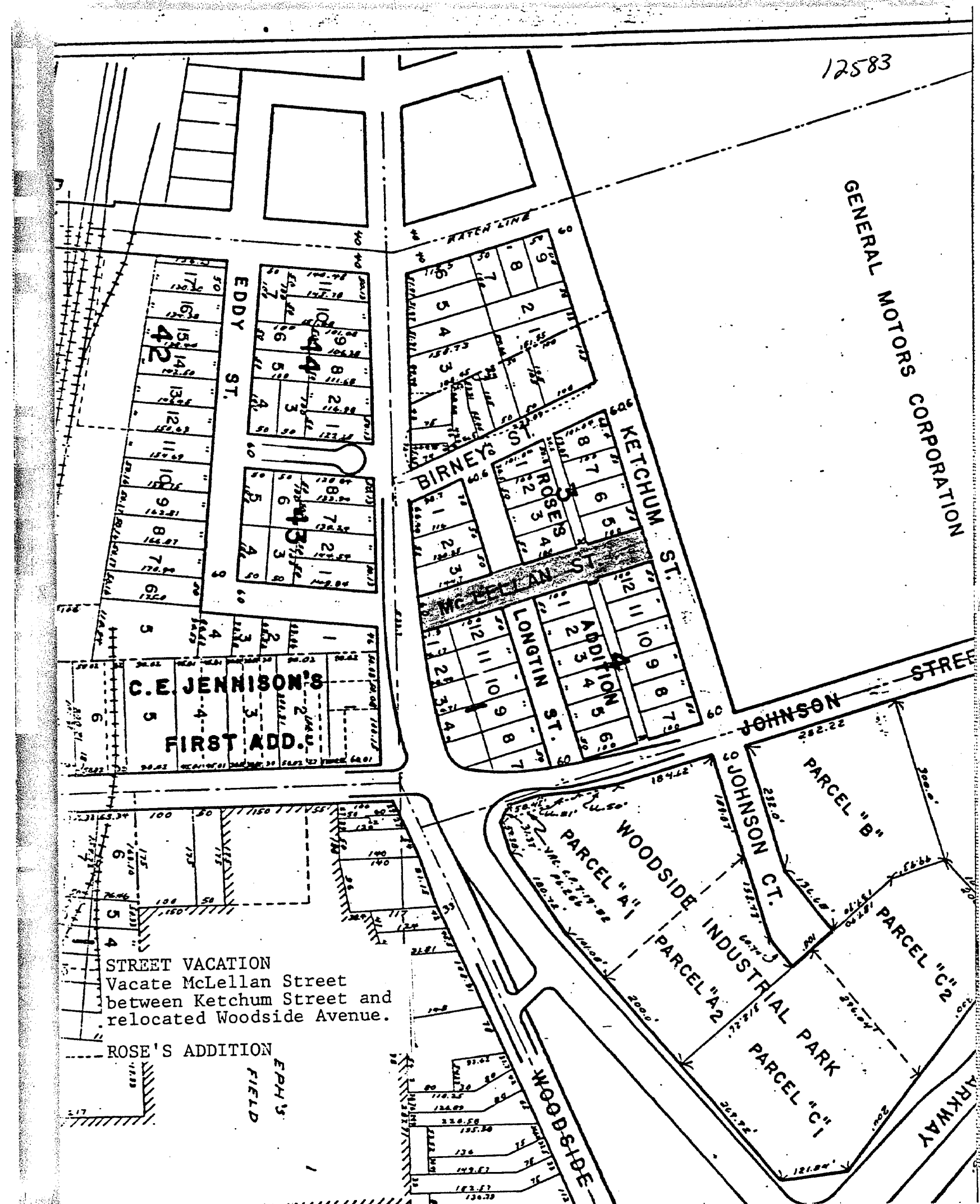
PUBLIC HEARING

Commissioner Hartman moved to suspend the rules to allow any interested persons in the audience to speak. There was no objection. No one appeared.

Commissioner Hartman moved adoption of resolution.

Adopted by the following vote —
Yes, Commissioners Savage, Mochrie, Bleau, Laskowski, Martindale, Baird, Buda, Hartman, 8.
No, None.

12583



12583



12583
OCT 03 1984
City of Bay City

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

October 1, 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 Ketchum Street, Johnson Street, Longton Street and McLellan Street. This alley is located in Rose's Addition.

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

CITY OF BAY CITY, MICH.
OFFICE OF CITY CLERK
(AFFIDAVIT)

LIBER 967 PAGE 866

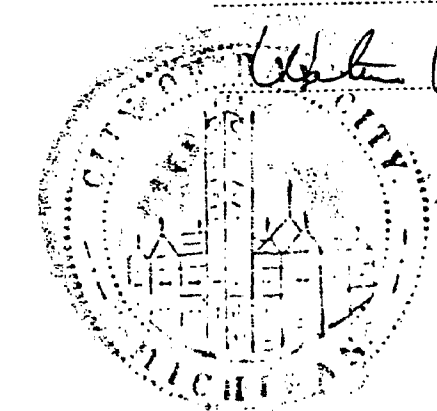
STATE OF MICHIGAN
COUNTY OF BAY
CITY OF BAY CITY

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 20, 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.
Walter Wozniak, Jr., City Clerk

RECORDED
SEP 21 11 06 AM '84
BAY COUNTY, MICHIGAN

Of City Manager And Planning Director:

It is recommended that the following resolution regarding the vacation of various streets and alleys in the Johnson/Woodside area be approved:

Whereas, the Bay City Planning Commission held a public hearing on Wednesday, June 20, 1984 to consider staff recommendation to vacate the following streets and alleys:

McLellan Street between Ketchum Street and relocated Woodside Avenue;

Alley in the block bounded by Ketchum Street, McLellan Street, Longton Street, and Birney Street;

Alley in the block bounded by Ketchum Street, Johnson Street, Longton Street, and McLellan Street;

Longton Street between Birney Street and relocated Johnson Street; and

Whereas, the City of Bay City has acquired all abutting properties; and

Whereas, the City of Bay City proposes to subdivide the above land and sell same for light industrial purposes; and

Whereas, said streets and alleys are not needed for purposes of industrial development; and

Whereas, it is the recommendation of the Bay City Planning Commission to vacate said streets and alleys with the usual utility easements being retained; and

Whereas, a resolution was adopted on July 2, 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 July 19, July 26, August 2 and August 9, 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 of Bay City on August 20, 1984 relative to the aforesaid request for vacation.

LIBER 967 PAGE 867

Now, Therefore, Be It Resolved And Ordered by the City Commission that: the following streets and alleys are hereby closed and vacated:

McLellan Street between Ketchum Street and relocated Woodside Avenue.

Alley in the block bounded by Ketchum Street, McLellan Street, Longton Street, and Birney Street.

Alley in the block bounded by Ketchum Street, Johnson Street, Longton Street, and McLellan Street.

Longton Street between Birney Street and relocated Johnson Street;

Provided, that such streets and alleys are 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 streets and alleys are reserved to and shall remain in the respective owners thereof, together with the Easement and right to occupy said streets and alleys 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 streets and alleys 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.

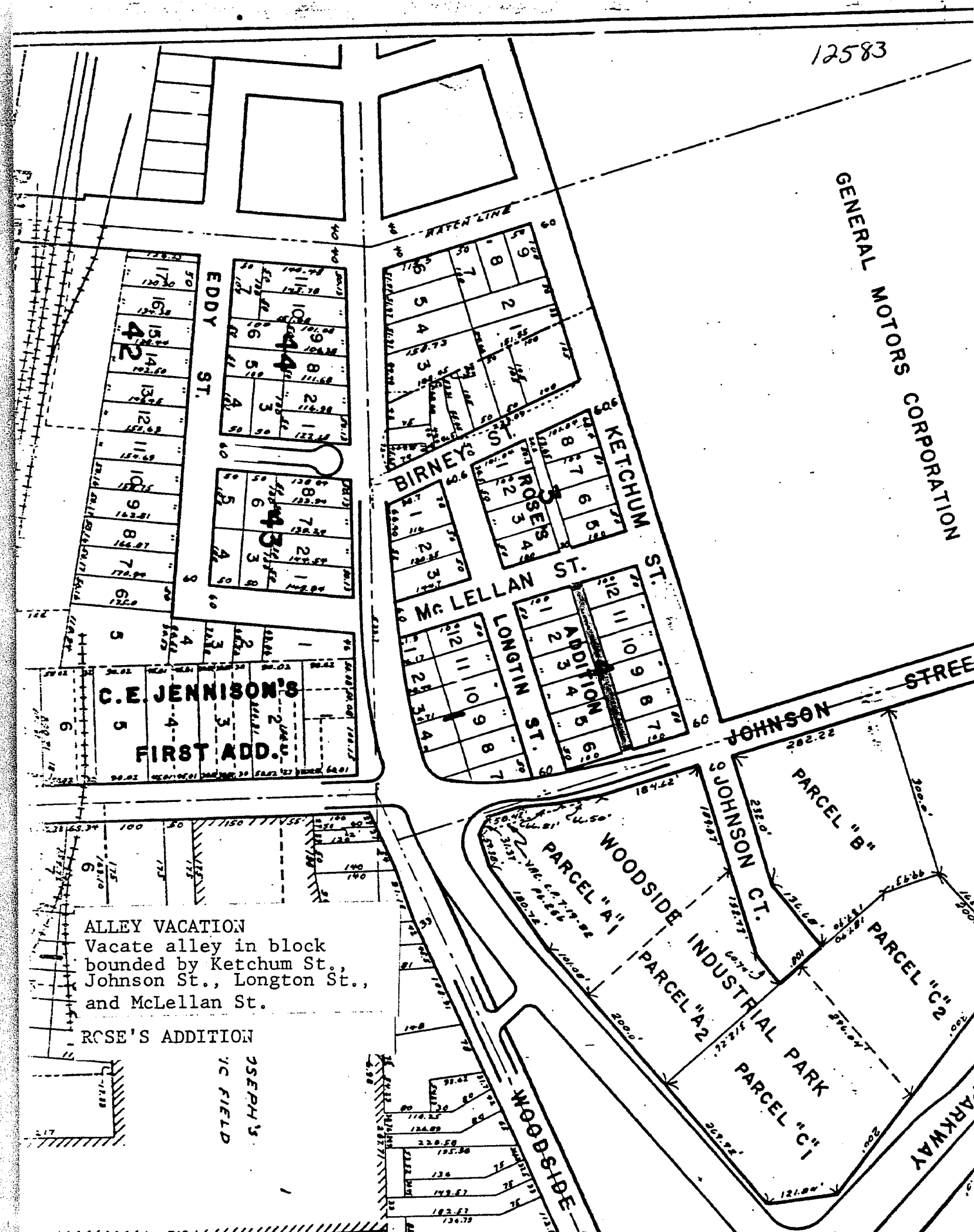
PUBLIC HEARING

Commissioner Hartman moved to suspend the rules to allow any interested persons in the audience to speak. There was no objection. No one appeared.

Commissioner Hartman moved adoption of resolution.

Adopted by the following vote —
Yes, Commissioners Savage, Mochrie, Bieau, Laskowski, Martindale, Baird, Buda, Hartman, 8.
No, None.

12583



12583

GENERAL MOTORS CORPORATION

ALLEY VACATION
Vacate alley in block
bounded by Ketchum St.,
Johnson St., Longton St.,
and McLellan St.

ROSE'S ADDITION

JOHN'S
FIELD

WOODSIDE

PARKWAY

CITY OF BAY CITY, MICH.
OFFICE OF CITY CLERK

(AFFIDAVIT)

RECORDED

STATE OF MICHIGAN

COUNTY OF BAY
CITY OF BAY CITY

From the meeting
- REGISTERED
BAY CITY, MICH.

I, 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 September27, 1971with 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., this19th day of October 19 71

Walter Wozniak Jr.
City Clerk

SPECIAL ORDER

Of Commission as a Whole:

Whereas, Arthur T. Repkie and Edward C. Raschke, on June 7, 1971, petitioned this commission to close alley in Block 15, Roses Addition to Bay City to the rear of Lots 2 and 3, as set forth in said petition;

And Whereas, the Planning Commission recommended that the entire alley in Block 15, Roses Addition 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 23, 1971, 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 September 2, 9, 16 and 23, 1971, relative to the aforesaid hearing; and certified notice thereof having been mailed to the railroads and public utilities and to the abutting property owners;

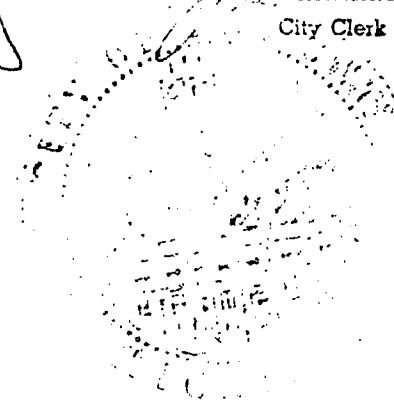
And Whereas, a public hearing was held by the City Commission on September 27, 1971, relative to the aforesaid petition for said vacation;

Now, Therefore, Be it Resolved And Ordered, By the City Commission that the entire alley in Block

15, Roses Addition be and the same is hereby closed and vacated with the city reserving unto itself all public utility rights, and an easement for public utilities, and on condition that no structures, including fences and garages, be constructed within the area of the vacated alley.

RULES SUSPENDED

Commissioner Murphy moved that rules be suspended and any interested persons be permitted to speak. There was no objection. No one appeared and Commissioner Murphy moved for adoption of resolution. Adopted unanimously.



1st Ward

T
1

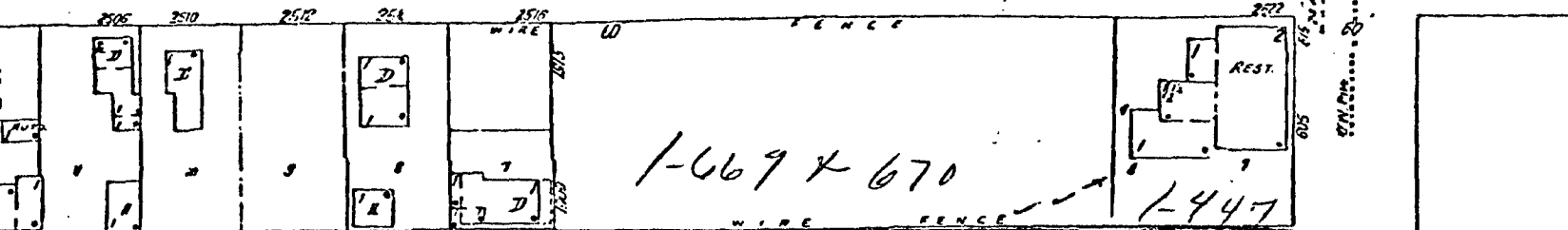
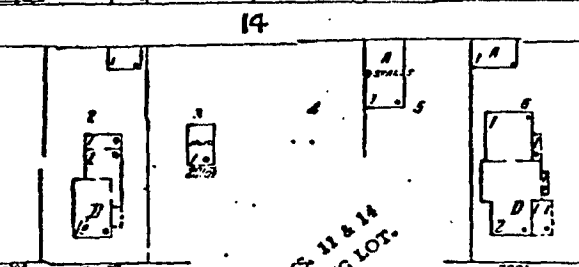
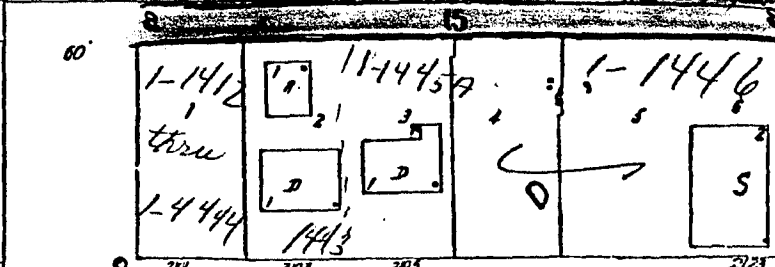
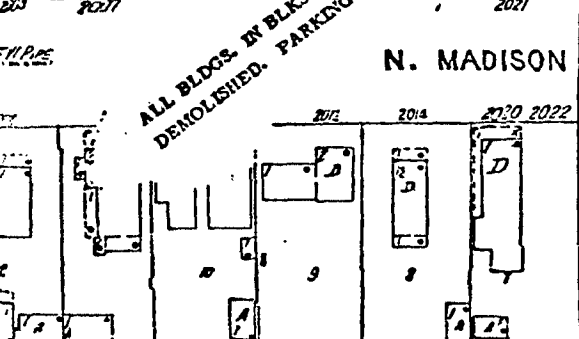
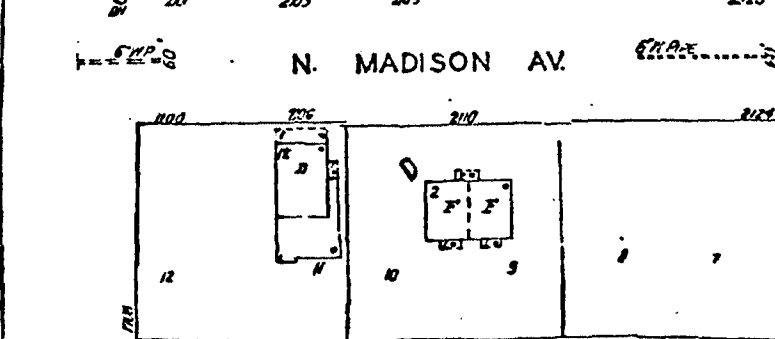
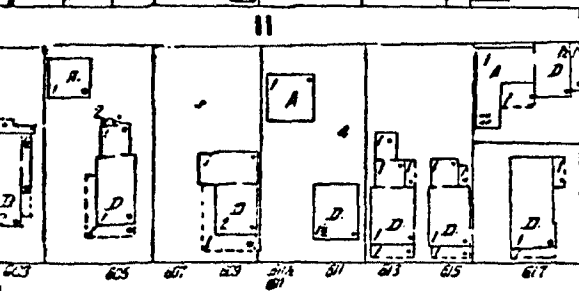
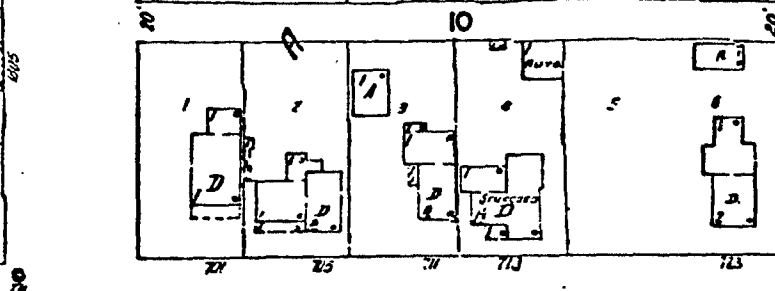
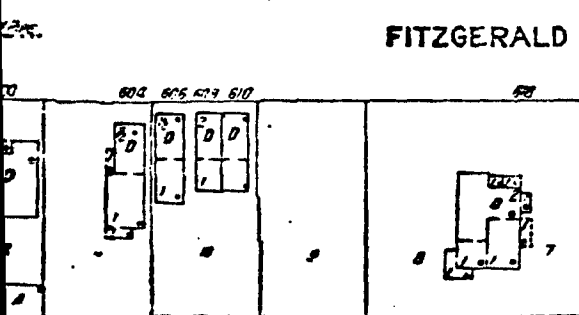
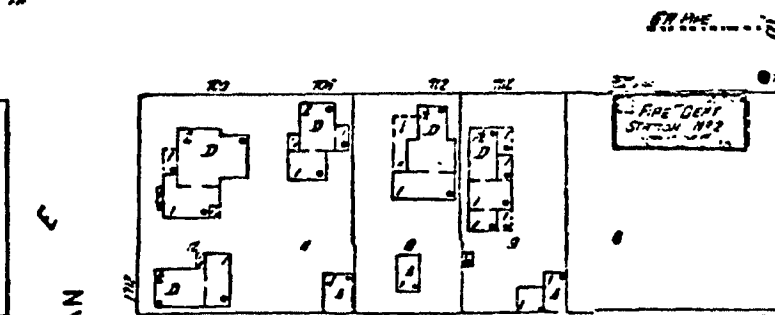
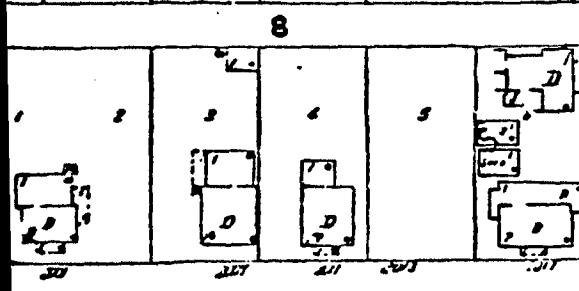
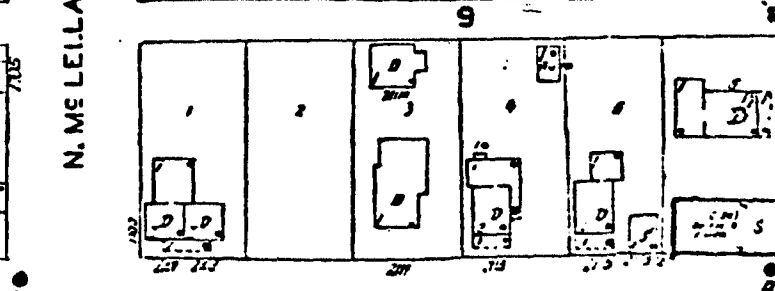
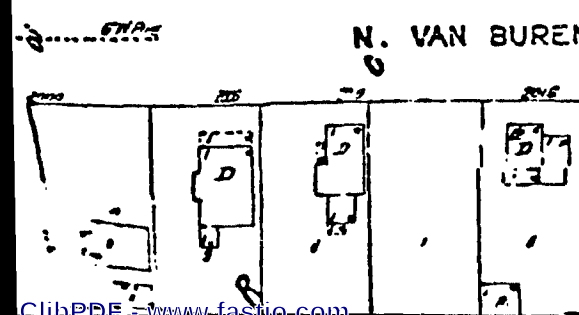
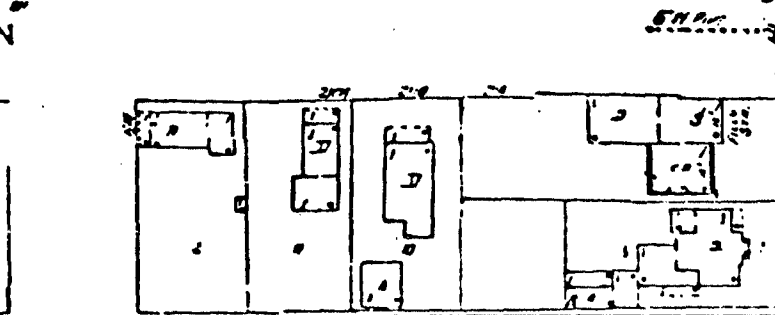
Alley Crossing

12583

12583

6

N. WATER



ALL BLDGS. IN BLS. 11 & 14
DEMOLISHED. PARKING LOT.

N. MADISON

N. MADISON AV.

FITZGERALD

N. BELINDA

N. VAN BUREN

N. ME LELLAN

7

CITY OF BAY CITY, MICH.
OFFICE OF CITY CLERK
(AFFIDAVIT)

STATE OF MICHIGAN
COUNTY OF BAY
CITY OF BAY CITY

I, James H. Gates

Clerk of the City of Bay

City, County and State aforesaid, Do hereby Certify, that I have compared the
annexed excerpt from the City Commission proceedings of the regular meeting
held March 29, 1965

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

23rd day of August 19 66

James H. Gates
City Clerk

CATSMAN CO.

SPECIAL ORDER

Of Commission as a whole:
Whereas, the General Motors
Corporation on January 25, 1965
(see Commission Proceedings,
page 11), petitioned this Com-
mission to vacate certain streets
and an alley as set forth in said
petition;

And Whereas, the Planning
Commission, after due notice,
held a public hearing on said
petition and after due considera-
tion filed its report with the City
Commission recommending the
closing and vacation of said
streets and alley on certain con-
ditions (see Commission Pro-
ceedings of February 22, 1965,
pages 25-36);

And Whereas, at said session
the City Commission referred
said petition to the City Attorney
for further proceedings in ac-
cordance with the requirements
of the ordinance; and whereas
notice of a public hearing to be
held by the City Commission at
their regular session of March
29, 1965, was published in the
Bay City Times, a newspaper of
general circulation in Bay City,
on March 1, 8, 15, and 22, 1965;
and certified notice of said hear-
ing having been mailed to the
railroads and public utilities and
to the adjacent property owners,
as required by said ordinance;
and said hearing having been
held relative to the aforesaid
petition for the vacating of said
streets and alley; and the Com-
mission being fully informed in
the premises;

NOW, THEREFORE, BE IT
RESOLVED AND ORDERED,
That the City Commission finds
it in the best interest of the City
and to the public good that the
following streets and alley be
vacated, and said streets and
alley are hereby closed and va-
cated:

VANDUREN STREET, from
the north line of Woodside Ave-
nue to the west line of Lincoln
Avenue;

GRANT STREET, from the
north line of Woodside Ave-
nue to the south line of Fitz-
gerald Street;

SHERMAN STREET, from the
north line of Ketchum Street to
the south line of Fitzgerald
Street;

SHERIDAN STREET, from
the north line of Ketchum Street
to the south line of Fitzgerald
Street;

BIRNEY STREET, from the
north line of Fitzgerald Street
to the north line of Madison
Avenue;

N. MADISON AVENUE, from
the west line of Birney Street to
the west line of McLELLAN;

McLELLAN STREET, from
the north line of the alley in
Block 15 of Rose's Addition, ex-
tended westerly, to the north
line of vacated Water Street;

ALLEY running east and west
in block bounded by Madison,
Fitzgerald, Birney and McLELLAN
Streets, being Block 11, Rose's
Addition to Bay City.

BE IT FURTHER RE-
SOLVED AND ORDERED, That
said closings and vacations be
on the following terms and con-
ditions:

1. Whereas, the continuation of
certain easements for a public
utility in and through a portion
of the streets is required for the
health, welfare, and safety of
the people of the City of Bay
City, the following easements
and rights of way are hereby
retained:

(a) An easement and right of
way of the City of Bay City for
a certain storm sewer now
located and situated in the way
of Birney Street and running to
the Saginaw River; any build-
ing to be erected in or along the
course of the vacated portion of
Birney Street to be constructed
in accordance with the plans
submitted to and approved by
the City; the City reserving the
right of rejection or to require
modifications, for sound engi-
neering reasons, for the purpose
of protecting and assuring the
continuation of said storm
sewer. The City further re-
serves the right to maintain, re-
pair, or replace said storm
sewer.

(b) An easement and right of
way of the City of Bay City for
a certain storm sewer as now
located and situated in the way
of Sherman Street and running
to the Saginaw River; any build-
ing to be erected in or along the
course of the vacated portion of
Sherman Street to be construct-
ed in accordance with the plans
submitted to and approved by
the City; the City reserving the
right of rejection or to require
modifications, for sound engi-
neering reasons, for the purpose
of protecting and assuring the
continuation of said storm
sewer. The City further re-
serves the right to maintain, re-
pair, or replace said storm
sewer.

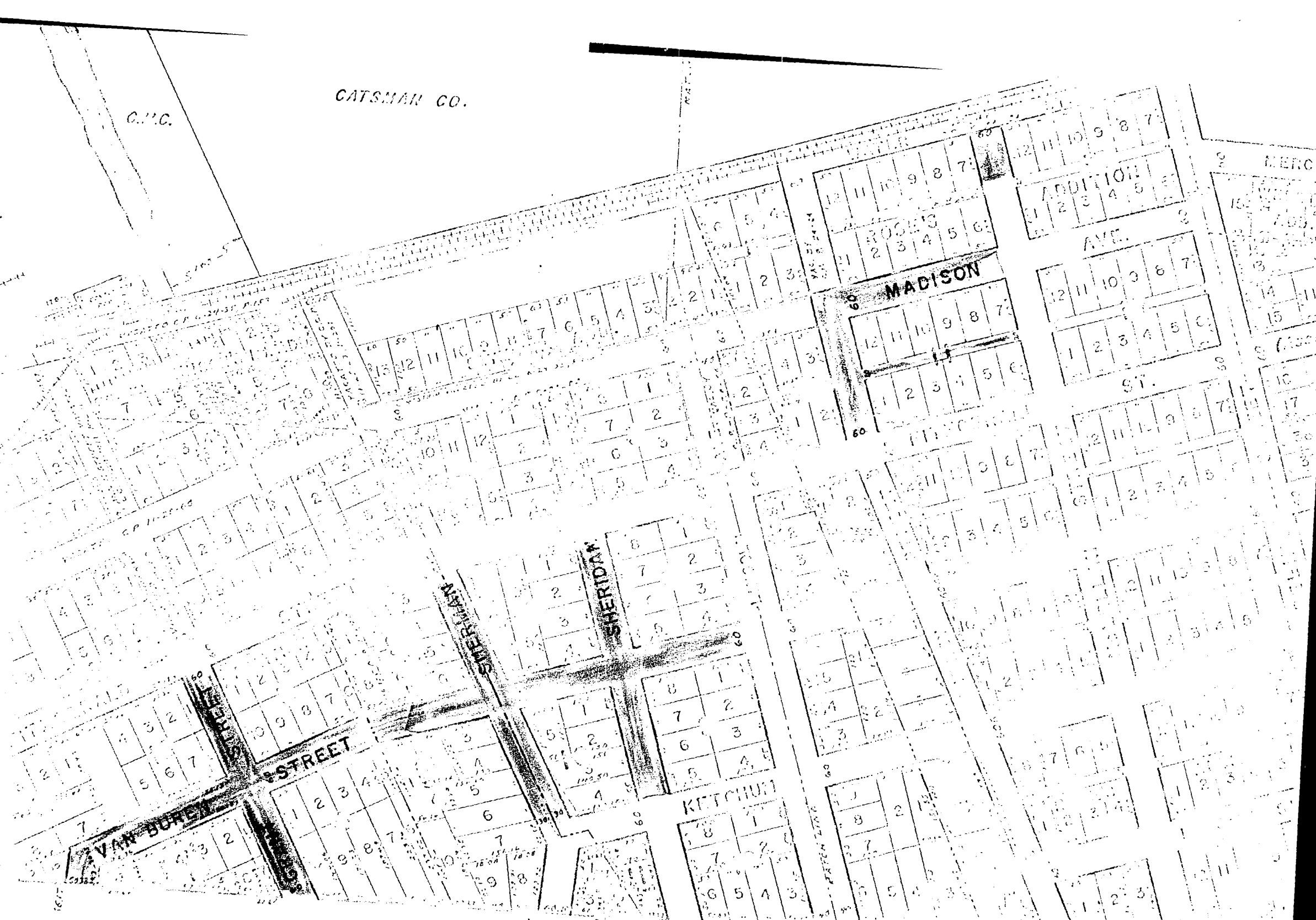
(c) An easement and right of
way of the City of Bay City for
a certain combined sewer as
now located and situated in the
way of Grant Street between
Woodside and Fitzgerald; any
building to be erected in or
along the course of the vacated
portion of Grant Street to be
constructed in accordance with
the plans and specifications
therefor as submitted to and ap-
proved by the City, the City re-
serving the right of rejection or
to require modifications, for
sound engineering reasons, for
the purpose of protecting and
assuring the continuation of
said combined sewer. The City
further reserves the right to
maintain, repair, or replace
said combined sewer.

2. The balance of the public
easements for public utilities in
the way of said streets, includ-
ing the easements for tele-
phones, electrical, water, and
sewer facilities now installed,
are vacated and abandoned on
condition that the cost and ex-
pense of the relocation of said
existing facilities and of the
termination of service through
said facilities be borne by and
paid by the Petitioner for va-
cation to the owners of said
utilities.

BE IT FURTHER RE-
SOLVED AND ORDERED, That
upon said terms and conditions
being performed a certificate
of compliance be submitted to
this Commission and upon adop-
tion thereof said vacation be-
come absolute and effective
subject to the easement reser-
vations stated.

Commissioner Wylie moved
for suspension of rules to hear
any interested parties. Nobody
appearing in objection thereto,
Commissioner Wylie moved for
adoption of resolution.

Adopted unanimously.



CITY OF BAY CITY, MICH.
OFFICE OF CITY CLERK
(AFFIDAVIT)

STATE OF MICHIGAN
COUNTY OF BAY
CITY OF BAY CITY

I, JAMES H. GATES

Clerk of the City of Bay

City, County and State aforesaid, Do hereby Certify, that I have compared the annexed excerpt from City Commission proceedings of the regular meeting held September 28, 1964.

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

23rd day of August 19 66

City Clerk

Of Commission as a Whole:
Whereas, the General Motors Corporation on August 3, 1964 Commission Proceedings, (page 163) petitioned this Commission to vacate certain streets and alleys as set forth in said petition;

And Whereas, the Planning Commission, after due notice, held a public hearing on said petition and after due consideration filed its report with the City Commission recommending the closing and vacation of said streets and alleys on certain condition (See Commission Proceedings of August 24, 1964, pages 179-180);

And Whereas, at said session the City Commission referred said petition to the City Attorney for further proceedings in accordance with the requirements of the ordinance; and whereas notice of a public hearing to be held by the City Commission at their regular sessions on September 28, 1964, was published in the Bay City Times, a newspaper of general circulation in Bay City, on August 31 and September 7, 14, and 21, 1964; and certified notice of said hearing having been mailed to the railroads and public utilities and to the adjacent property owners, as required by said ordinance; and said hearing having been held relative to the aforesaid petition for the vacating of said streets and alleys; and the Commission being fully informed in the premises;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, That the City Commission finds it in the best interest of the City and to the public good that the following streets and alleys be vacated, and said streets and alleys are hereby closed and vacated:

SHERMAN STREET, from the north line of Fitzgerald Street to the north line of North Madison Avenue;

SHERIDAN STREET, from the north line of Fitzgerald Street to the north line of North Madison Avenue;

LINCOLN STREET, from the north line of Fitzgerald Street to the north line of North Madison Avenue;

NORTH MADISON AVENUE, from the west line of Sherman Street to the west line of Birney Street;

BIRNEY STREET, from the north line of North Madison Avenue to the north line of Water Street;

WATER STREET, from the west line of Birney Street to the east line of the west 20.70 feet of Lot S, Block 15, of Rose's Addition to Bay City, Michigan, if said line were extended northerly across said Water Street;

McLELLAN STREET, from the south line of Water Street to the north line of Water Street;

ALLEY located in Block 12 of Rose's Addition to Bay City, to the west of Birney Street and parallel to and between North Madison Avenue and Fitzgerald Street;

ALLEY located in Block 14 of Rose's Addition to Bay City, between North Madison Avenue, Water Street, Birney Street, and McLeLlan Street.

BE IT FURTHER RESOLVED AND ORDERED, That said closing and vacation be on the following terms and conditions:

1. Whereas, the continuation of certain easements for a public utility in and through a portion of said streets is required for the health, welfare, and safety of the people of the City of Bay City, the following easements and rights of way are hereby retained:

a) An easement and right of way for a certain interceptor sewer (so-called) as now located and situated in the way of Madison Avenue, Birney Street, and Water Street; any building to be erected in or along the course of the vacated portion of Madison Avenue, Birney Street, and Water Street to be constructed in accordance with the plans and specifications therefor as submitted to and approved by the City; the City reserving the right of rejection or to require modifications, for sound engineering reasons, for the purpose of protecting and assuring the continuation of said interceptor sewer. The City further reserves the right to maintain, repair, and replace said interceptor sewer, provided that said work be done by tunneling operations, except that said work may be performed by open excavation in that portion of the vacated streets where buildings have not been erected as provided herein.

(b) An easement and right of way of the City of Bay City for a certain storm sewer now located and situated in the way of Birney Street and running to the Saginaw River; any building to be erected in or along the course of the vacated portion of Birney Street to be constructed in accordance with the plans and specifications therefor as submitted to and approved by the City; the City reserving the right of rejection or to require modifications, for sound engineering reasons, for the purpose of protecting and assuring the continuation of said storm sewer. The City further reserves the right to maintain, repair, or replace said storm sewer.

(c) An easement and right of way of the City of Bay City for a certain storm sewer as now located and situated in the way of Sherman Street and running to the Saginaw River; any building to be erected in or along the course of the vacated portion of Sherman Street to be constructed in accordance with the plans and specifications therefor as submitted to and approved by the City; the City reserving the right of rejection or to require modifications, for sound engineering reasons, for the purpose of protecting and assuring the continuation of said storm sewer. The City further reserves the right to maintain, repair, or replace said storm sewer.

(d) An easement and right of way of the City of Bay City for a water main as now located and situated in the way of Water Street, any building to be erected in or along the course of the vacated portion of Water Street to be constructed in accordance with the plans and specifications therefor as submitted to and approved by the City; the City reserving the right of rejection or to require modifications, for sound engineering reasons, for the purpose of protecting and assuring the continuation of said water main. The City further reserves the right to maintain, repair, or replace said water main.

(e) An easement and right of way for the New York Central System and the Chesapeake and Ohio Railway Company for their railroad facilities now located along and in the way of Water Street.

2. The balance of the public easements for public utilities in the way of said streets, including the easement for telephones, electrical, water, and sewer facilities now installed, are vacated and abandoned on condition that the cost and expense of the relocation of said existing facilities and of the termination of service through said facilities be borne and paid by the Petitioner for vacation to the owners of said utilities.

BE IT FURTHER RESOLVED AND ORDERED, That upon said terms and conditions being performed a certificate of compliance be submitted to this Commission and upon adoption thereof said vacation become absolute and effective subject to the easement reservations stated.

RULES SUSPENDED

Commissioner Wylie moved to suspend rules to hear any interested spectators in the audience, nobody appearing in objection. Commissioner Wylie moved for adoption of resolution. Adopted unanimously.

