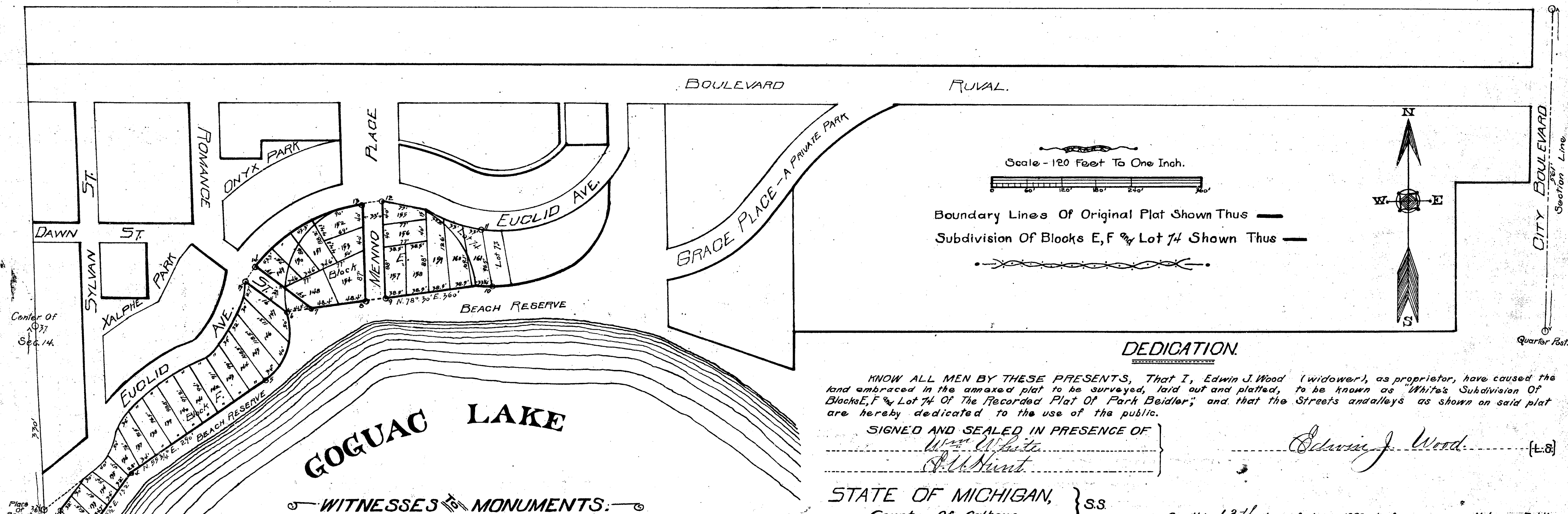


Showing White's Subdivision Of Blocks E, F & Lot 74
Of The Recorded Plat Of

PARK BEIDLER

BATTLE CREEK, CALHOUN CO.,
MICHIGAN.

4708



DEDICATION.

KNOW ALL MEN BY THESE PRESENTS, That I, Edwin J. Wood (widower), as proprietor, have caused the land embraced in the annexed plat to be surveyed, laid out and platted, to be known as "White's Subdivision Of Blocks E, F & Lot 74 Of The Recorded Plat Of Park Beidler"; and that the Streets and alleys as shown on said plat are hereby dedicated to the use of the public.

SIGNED AND SEALED IN PRESENCE OF

Edwin J. Wood
J. H. Hunt

Edwin J. Wood (L.S.)

STATE OF MICHIGAN, } ss.

County Of Calhoun.

On this 13th day of June, 1899, before me, a Notary Public in and for said county, personally came the above named Edwin J. Wood (widower), known to me to be the person who executed the above dedication and acknowledged the same to be his free act and deed.

Horace H. Bidwell
Notary Public, Calhoun Co., Michigan.

RECEIVED AND FILED.
IN AUDITOR GENERAL'S OFFICE,

John T. Williams
Deputy Auditor General.

DESCRIPTION OF LAND PLATED.

The land embraced in the annexed plat of White's Subdivision Of Blocks E, F & Lot 74 Of The Recorded Plat Of Park Beidler, is situated on the North-East Fractional Quarter of Section Fourteen (14), Township Two (2), South Range Eight (8) West, and is more fully described as follows: Blocks E, F & Lot Seventy Four (74), as the same is laid down, designated and described on the Recorded Plat and Survey, known as "Park Beidler"; and is bounded as follows: Beginning at a point 350' south of the center of Section Fourteen (14), Township Two (2), South Range Eight (8) West; Thence South on Quarter line 99', thence North 71° E. 99'; thence N. 35½° E. 132'; thence N. 55½° E. 290'; thence to left on a curve 17½ radius 125'; thence N. 78° 30' E. 360' to South-West corner of Lot 73 of the Recorded Plat of Park Beidler; thence Northerly on Westerly line of lot 73, to Southerly line of Euclid Avenue; thence Westerly along Southerly line of Euclid Avenue to place of beginning, Containing Lots No. 131 To No. 161 inclusive.

SURVEYOR'S CERTIFICATE.

I Hereby Certify that the plat hereon delineated is a correct one, and that permanent monuments, consisting of gas pipes, three feet long, have been planted at points marked thus (o), as thereon shown at all angles in the boundaries of the land plated, and at all intersections of streets, or streets and alleys.

Examined and Approved June 19th 1899.

STATE OF MICHIGAN, } ss.

County Of Calhoun. We, *Howard Daskam* Register of Deeds, and *J. H. Hunt* Surveyor, hereby certify that we have each carefully compared this copy with the original plat of White's Subdivision of Blocks E, F and Lot 74 of the Recorded Plat of Park Beidler, and that it is an exact copy thereof and of the whole of such original map or plat.

Howard Daskam Register of Deeds.
J. H. Hunt Surveyor.

WITNESSES MONUMENTS.

No	Witness	Monument
1	Elm	70° N. 70° W. - 15 Ft.
2	White Oak	70° N. 29° 30' E. - 79.5 "
3	No Witness.	
4	Black Oak	18° N. 88° W. - 26 "
5	White Oak	24° N. 3° 30' W. - 28 "
6	Elm	12° N. 74° E. - 35 "
7	Elm	14° N. 28° E. - 15.8 "
8	Hickory	8° S. 80° W. - 7 "
9	Black Oak	10° N. 37° E. - 13.3 "
10	Black Oak	10° N. 41° E. - 27 "
11	Black Oak	10° S. 20° W. - 16.3 "
12	Elm	8° N. 86° E. - 16 "
13	Hickory	16° N. 24° W. - 27 "
14	Sycamore	14° N. 77° W. - 41.7 "
15	Black Oak	14° N. 71° E. - 27.7 "
16	Black Oak	14° N. 38° E. - 3 "
17	Black Oak	18° N. 62° W. - 7.3 "
18	No Witness.	
19	Black Oak	4° S. 89° W. - 42 Ft.
20	Hickory	4° S. 12° E. - 32.5 "
21	Hickory	4° N. 4° W. - 8.7 "
22	Hickory	6° N. 52° E. - 32.3 "
23	Hickory	4° N. 4° W. - 8 "
24	White Oak	5° S. 29° E. - 10 "
25	Hickory	10° S. 33° W. - 26.6 "
26	Black Oak	12° N. 21° E. - 15 "
27	Hickory	10° N. 5° W. - 9 "
28	Hickory	4° S. 87° E. - 7.4 "
29	No Witness.	

WITNESSES ON ORIGINAL PLAT.

30	White Oak	24° S. 62° E. - 46½ Feet.
31	White Oak	8° N. 87° E. - 22 "
32	Center of Sec. 14, W. Oak	8° N. 39° E. - 13 "
33	White Oak	12° S. 71½° E. - 18 "

STATE OF MICHIGAN, } ss.
County Of Calhoun.

We, *Howard Daskam* Register of Deeds, and *J. H. Hunt* Surveyor, hereby certify that we have each carefully compared the annexed copy with the plat of White's Subdivision Of Blocks E, F & Lot 74 Of the Recorded Plat Of Park Beidler, now of record in the office of said Register of Deeds, and that it is a true transcript therefrom and of the whole of such record.

Howard Daskam Register of Deeds.

J. H. Hunt Surveyor.

Recd for Record 10:30 A.M.
June 24th - 1899
In Book 3 of Plats
on page 24

Howard Daskam Register of Deeds.

13412

4708

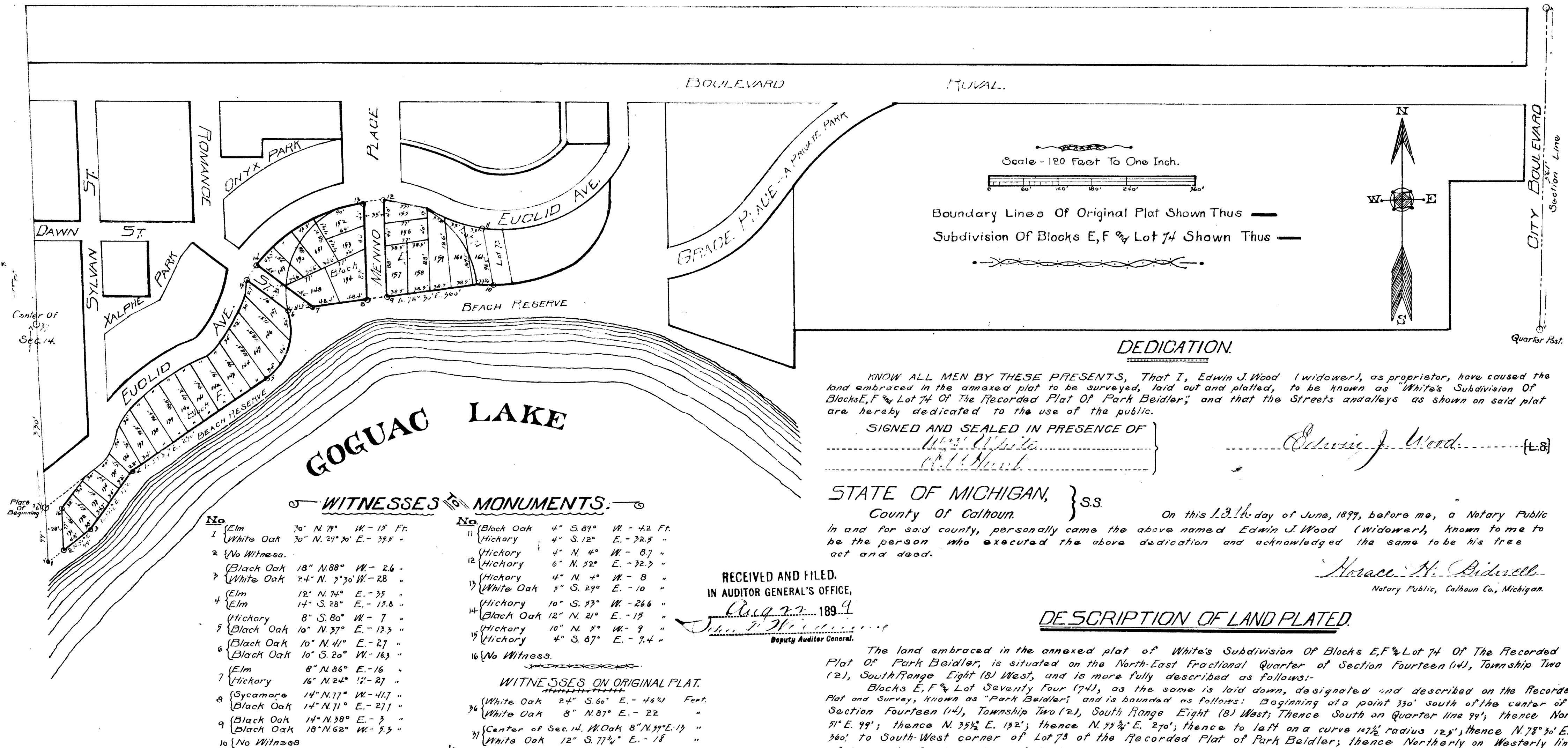
21969-1899

--- PLAT ---
Showing White's Subdivision Of Blocks E, F & Lot 74
Of The Recorded Plat Of

PARK BEIDLER

BATTLE CREEK, CALHOUN CO.,
MICHIGAN.

1708



DEDICATION.

KNOW ALL MEN BY THESE PRESENTS, That I, Edwin J. Wood (widower), as proprietor, have caused the land embraced in the annexed plat to be surveyed, laid out and platted, to be known as "White's Subdivision Of Blocks E, F & Lot 74 Of The Recorded Plat Of Park Beidler"; and that the Streets and alleys as shown on said plat are hereby dedicated to the use of the public.

SIGNED AND SEALED IN PRESENCE OF

Edwin J. Wood. (L.S.)

STATE OF MICHIGAN, } ss.
 County Of Calhoun.

On this 13th day of June, 1899, before me, a Notary Public in and for said county, personally came the above named Edwin J. Wood (widower), known to me to be the person who executed the above dedication and acknowledged the same to be his free act and deed.

Horace H. Bidwell.
 Notary Public, Calhoun Co., Michigan.

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Blocks E, F & Lot Seventy Four (74), as the same is laid down, designated and described on the Recorded Plat and Survey, known as "Park Beidler"; and is bounded as follows: Beginning at a point 330' south of the center of Section Fourteen (14), Township Two (2), South Range Eight (8) West; Thence South on Quarter line 79', thence North 71° E. 99'; thence N. 35½° E. 132'; thence N. 55½° E. 270'; thence to left on a curve 17½ radius 125', thence N. 78° 30' E. 360' to South-West corner of Lot 73 of the Recorded Plat of Park Beidler; thence Northerly on Westerly line of lot 73, to Southerly line of Euclid Avenue; thence Westerly along Southerly line of Euclid Avenue to place of beginning. Containing Lots No. 131 To No. 161 inclusive.

SURVEYOR'S CERTIFICATE.

I Hereby Certify that the plat hereon delineated is a correct one, and that permanent monuments, consisting of gas pipes, three feet long, have been planted at points marked thus (o), as thereon shown at all angles in the boundaries of the land plated, and at all intersections of streets, or streets and alleys.

Examined and Approved June 19th 1899.

 Surveyor.

 Deputy Auditor General.

STATE OF MICHIGAN, } ss.
 County Of Calhoun.

 Surveyor, hereby certify that we have each carefully compared the annexed copy with the plat of White's Subdivision Of Blocks E, F & Lot 74 Of the Recorded Plat Of Park Beidler, now of record in the office of said Register of Deeds, and that it is a true transcript therefrom and of the whole of such record.

 Register of Deeds.

 Surveyor.

Recd for Record 10:30 A.M.
 June 24th - 1899
 In Book 3 of Plats
 on page 24

13412

4708

21969-1899



RESOLUTION

A RESOLUTION VACATING A PORTION
OF LAKEFRONT DRIVE

NO. 148

APPROVED BY THE
CITY COMMISSION
ON FEBRUARY 19, 1993

02/16/93

BATTLE CREEK MICH.

Resolved by the Commission of the City of Battle Creek:

WHEREAS, the City Commission has been requested by property owners abutting Lakefront Drive to vacate a portion of same, and it appearing to the City Commission that a portion of Lakefront Drive is no longer necessary for public use and convenience, and no public or private interest will be adversely affected by the abandonment and vacation as a public thoroughfare;

NOW, THEREFORE, BE IT RESOLVED THAT pursuant to MCL 560.226, the portion of Lakefront Drive, being a public road by user being approximately 71.4 feet in length running east and west and which lies west of the southerly extension of a line beginning at a point on the south line of Lot 154 of the Recorded Plat of Park Beidler, 11 feet easterly from the southwest corner of Lot 154; thence northerly 71.1 feet to the southeast corner of Lot 151 of said Plat and the point of ending to water's edge of Gogua Lake and lies easterly of the southerly extension of a west line described as beginning at a point which is 12 feet westerly of the southwesterly corner of Lot 148 of White's Subdivision of Blocks E, F and Lot 74 of the Record Plat of Park Beidler, which point lies on a straight continuation westerly of the south line of Lot 148; thence northerly 48.3 feet to the northwest corner of said Lot 148 and the point of ending to the water's edge of Gogua Lake, is hereby vacated subject to an easement granted by the owners of property abutting the vacated portion of Lakefront Drive to the City of Battle Creek for police, fire and emergency vehicle access and public utility access; and further subject to mutual easements for ingress and egress in favor of the abutting property owners and their heirs and assigns.

BE IT FURTHER RESOLVED THAT the vacation of the said public street is upon the condition that title to all gas, electric poles, wire, conduits, cables, appurtenances and facilities now in, under or over said public street, if any,

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of the road being approximately 71.4 feet in length east and west and which lies west of the southerly extension of the east line of Defendants Hall's property (said east line is described as: Beginning at a point on the south line of Lot 154 of said Plat of White's Subdivision of Blocks E, F and Lot 74 of the Recorded Plat of Park Beidler, 11 feet easterly from the southwest corner of Lot 154; thence northerly 71.1 feet to the southeast corner of Lot 151 of said Plat and the point of ending) to the water's edge of Gogua Lake; and lies easterly of the southerly extension of the west line of Plaintiffs Pazder's property (said west line is described as: Beginning at a point which is 12 feet westerly of the southwesterly corner of Lot 148 of said Plat of White's Subdivision of Blocks E, F and Lot 74 of the Recorded Plat of Park Beidler, which point lies on a straight continuation westerly of the south line of said Lot 148; thence northerly 48.3 feet to the northwest corner of said Lot 148 and the point of ending) to the water's edge of Gogua Lake; is hereby vacated subject to an easement hereby granted by the owners thereof for police, fire, and emergency vehicle access and public utility access; and further subject to easements appurtenant for ingress and egress in favor of Plaintiffs Pazder and their heirs and assigns, and Defendants Hall and their heirs and assigns, which easements for ingress and egress shall be as follows:

- Plaintiffs Pazder shall have an easement for ingress and egress over and across that portion of the Beach Reserve herein vacated, lying between Defendants Hall's property and Gogua Lake, said easement being across a parcel fourteen (14') feet in width lying southerly of the southerly line of Defendants Hall's portion of Lots 154 and 148, and being the straight westerly extension of Lakefront Drive as it crosses southerly of the easterly part of Lot 154.
- Defendants Halls shall have an easement for ingress and egress over and across that portion of the Beach Reserve herein vacated lying between Plaintiffs Pazder's property and Gogua Lake, said easement being across a parcel fourteen (14') feet in width lying southerly of the southerly line of Plaintiffs Pazder's portion of Lot 148 and

Consent Judgment of
Vacation and Revision of Plat
Page 2 of 4 Pages

LIBER 1668 PAGE 721

RESOLUTION
02/16/93
-2-

are reserved to, and shall remain in the owner thereof together with the easements and continued rights to occupy said public street for public utility purposes with present and additional facilities, and to operate, maintain and repair, replace, substitute for or remove the same to the same effect and in the same manner as if said vacated portion had remained as a public street;

BE IT FURTHER RESOLVED THAT the City Clerk is hereby instructed to file in the office of the State Treasurer and record with the Office of the Register of Deeds for Calhoun County, Michigan, certified copies of this Resolution together with the appropriate Court Order that the Plats recorded as hereinbefore mentioned are the recorded plats affected by this Resolution.

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Deborah G. Owens, Clerk of the City of

Battle Creek, hereby certify the above and foregoing is a true and correct copy of a resolution adopted by the City Commission

at a regular meeting held on the 16th

day of February, 1993

at Battle Creek, Michigan

City Clerk

vacated Romance Street, and being the straight westerly extension of Lakefront Drive as it crosses southerly of the easterly part of Lot 154. Said easement herein is to allow Defendants to turn when backing in or out of Defendants' driveway.

IT IS FURTHER ORDERED that the east and west lot lines of said Lots 148 and 154 and the vacated Romance Street of said plat hereby extend from their current terminus on the north edge of the "Beach Reserve" to the water's edge of Gogua Lake, to be held in fee by the owners of said parcels, subject, however, to the rights of the public in the public road in that portion of Lakefront Drive not vacated or abandoned by this Judgment and not previously vacated or abandoned.

IT IS FURTHER ORDERED that the Plaintiffs and Defendants shall prepare, in compliance with MCL 560.229(1); MSA 26.430(1), in the form required by the Subdivision Control Act for Final Plat a new Plat of Lots 148, 154 and vacated Romance Street of White's Subdivision of Blocks E, F and Lot 74 of Park Beidler, showing the extended lot lines and street abandonment as designated by this Order. The cost of the survey and plat shall be divided equally between, and paid by, Plaintiffs Pazder and Defendants Hall. Plaintiffs Pazder and Defendants Hall shall have the joint responsibility of causing to be prepared and recorded an amended plat.

IT IS FURTHER ORDERED that the City of Battle Creek is hereby dismissed from this law suit and remaining issues raised and alleged by Robert M. Pazder and Beverly J. Pazder, husband and wife, Plaintiffs and Counter-Defendants, and Gregory C. Hall and Vicki Hall, husband and wife, Defendants, Counter-Plaintiffs, Cross-Plaintiffs and Third-Party Plaintiffs, involving parties other than the City of Battle Creek, are reserved by the Court for decision after proofs. In all other aspects, this Consent Judgment is final.

IT IS FURTHER ORDERED that no attorneys fees or costs shall be awarded with respect to the Counts for Vacation and Revision of Plat.

JAMES C. KINGSLEY
James C. Kingsley, Circuit Judge

CERTIFIED TRUE COPY OF
ORIGINAL ON FILE

Deborah G. Owens

City Clerk

LIBER 1668 PAGE 722

Consent Judgment of
Vacation and Revision of Plat
Page 3 of 4 Pages

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF CALHOUN

ROBERT M. PAZDER et al.

Plaintiff,

vs.

RAYMOND R. CHAMPLIN, et al.,

Defendant.

Docket No. 91-2863 CH

CONSENT JUDGMENT OF
VACATION AND REVISION OF PLAT

Attorneys for Plaintiffs:
Robert D. McFee (P-17397)
VANDERVOORT, COOKE, McFEE,
CHRIST, CARPENTER & FISHER, P.C.
312 Old Kent Bank Building
Battle Creek, MI 49017
(616) 965-1291

Attorney for Defendants Hall:
Cynthia P. Ortega (P-33642)
132 N. Kalamazoo Mall
Suite 215
Kalamazoo, MI 49007
(616) 344-1929

At a session of said Court held in the Circuit Courtrooms, County Building, Marshall, Michigan on the 17th day of Feb., 1993.

PRESENT: HONORABLE JAMES C. KINGSLEY, Circuit Judge.

There being no reason for delay in the determination of some of the issues presented by Plaintiffs' Complaint - Count I to Revise a Recorded Plat and Defendants Hall's Crossclaim, Counter-Claim and Third Party Complaint to Vacate of this litigation and the Court having reviewed the file, the Consents of the parties to the entry of this Judgment, the defaults entered herein, and this proposed Consent Judgment, the Court being advised:

IT IS ORDERED that a portion of White's Subdivision of Blocks E, F and Lot 74 of the Recorded Plat of Park Beidler, as recorded in Liber 3 of Plats on page 24 in the Calhoun County Register of Deeds Office, City of Battle Creek, Calhoun County, Michigan, shall be revised pursuant to Sections 221 through 229 of the Subdivision Control Act, MCLA 560.101, et seq; MSA 26.430(101), et seq.

IT IS FURTHER ORDERED that portion of the street known as Lakefront Drive, having been determined to be a public road by user, under the jurisdiction of the City of Battle Creek, said portion

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We the undersigned do hereby consent to the entry of the above Judgment without further notice or opportunity to be heard.

Dated: 2-17-93

Robert D. McFee
Attorney for Plaintiffs

Dated: 2-18-93

Cynthia P. Ortega
Attorney for Defendants Hall

Dated: 2-17-93

Loren G. Keenan
Attorney for Defendant Michigan
National Bank

Dated: 2-16-93

B. J. Humphreys
Attorney for Defendant Mutual
Savings Bank

Dated: 2-11-93

Deborah A. Kile
Attorney for Defendant Consumers
Power Company

Dated: 2-10-93

Clyde J. Robinson
Attorney for City of Battle Creek

Dated: 2-11-93

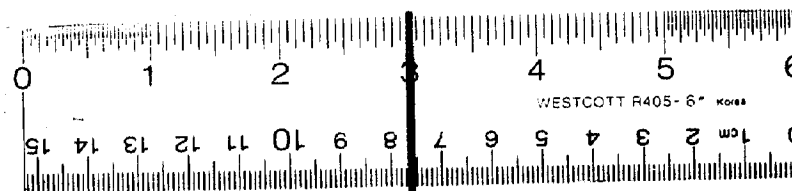
FRANK J. KELLEY, Attorney General

Kevin T. Smith
Assistant Attorney General
Attorney for Defendant Michigan
Natural Resources Division
and Department of Commerce,
successor to State Treasurer

This Order Drafted by:
Robert D. McFee (P-17397)
VANDERVOORT, COOKE, McFEE,
CHRIST, CARPENTER & FISHER, P.C.
312 Old Kent Bank Building
Battle Creek, MI 49017
(616) 965-1291

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Vacation and Revision of Plat
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