



**A RESOLUTION TO VACATE AND DELETE A PORTION  
OF A PLATTED ALLEY AS A CITY STREET OR ROAD**

The following Resolution was offered for adoption by City Council Member Kelley and was supported by City Council Member Starr:

WHEREAS, Thomas J. Weaver and Rickie L. Kelley, a married couple, the owners of the property at 554 Nicholson Street (Permanent Parcel Nos. 34-202-060-000-040-00 and 34-202-140-000-070-00) have petitioned the City of Ionia (the "City") to consider vacating the undeveloped public right-of-way and easement for an alley located within the Plat of Hillcrest Addition, adjacent to their property; and

WHEREAS, a public hearing was held by the City Council at City Hall on March 1, 2022 to consider vacating and deleting a portion of said alley as a City street and road; and

WHEREAS, a portion of said alley, as described below, is no longer required as a public street or road; and

WHEREAS, the City Council finds that the vacation and deletion of the portion of the public alley at issue would be in the best interest of the City, as well as its residents, landowners and visitors.

NOW, THEREFORE, BE IT RESOLVED:

1. That the portion of the alley described as follows:  
That alley lying directly East of Lot 15 of Hillcrest Addition and continuing North to the northern boundary of Hillcrest Addition; thence continuing West 85 ft along the northern line of Lot 16 of Hillcrest Addition to the North/South boundary line between the City of Ionia and Easton Twp. Said alley lying within the Ionia City limits.

is hereby vacated and deleted by the City of Ionia as a City road and street and shall be removed from the City street system conditioned on the following matters.

2. The Weavers, on behalf of themselves and their successors, heirs and assigns, must agree to assume the risk that this vacating Resolution may be declared invalid or insufficient to vacate a public alley right-of-way under Michigan law. The City makes no representations or warranties as to the sufficiency of this method of vacation and the Weavers shall accept the benefit

of the vacation and shall record this Resolution in acknowledgment and affirmation of the foregoing. Further, the Weavers must agree to hold harmless the City from any claims predicated upon or arising out of the vacation or method legally utilized to accomplish the same.

3. The City reserves to itself a public utility easement across, over and under the entirety of the portion of the alley vacated hereby.

4. The Weavers shall have this Resolution recorded with the Ionia County Register of Deeds at their expense and shall provide a copy of the recorded Resolution to the City Clerk.

BE IT FURTHER RESOLVED, that the following described property formerly comprising a portion of the alley shall go to (and be combined with) the Weaver property at 554 Nicholson Street (Permanent Parcel Nos. 34-202-060-000-040-00 and 34-202-140-000-070-00) as follows:

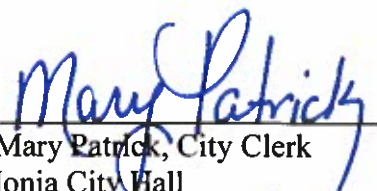
To 34-202-060-000-040-00: A portion of an alley within the Hillcrest Addition, to the City of Ionia, described as follows: Beginning at a point 16 ft North of the Southeast corner of Lot 15 of the Hillcrest Addition to the City of Ionia; thence North along the East line of Lots 15 and 16 of said subdivision to the Northeast corner of Lot 16; thence West along the North line of Lot 16 85 ft; thence North 20 ft to the North line of said alley; thence East 97 ft to the East line of said alley; thence South along said East line of alley to a point directly East of the Point of Beginning; thence West 12 ft to the Point of Beginning.

To 34-202-140-000-07-00: A portion of an alley within the Hillcrest Addition, to the City of Ionia, described as follows: Beginning at the Southeast corner of Lot 15 of the Hillcrest Addition to the City of Ionia; thence North 16 ft; thence East 12 ft to the easterly side of said alley; thence South 16 ft; thence West to the Point of Beginning.

BE IT FURTHER RESOLVED, that all resolutions and parts of resolutions in conflict herewith are, to the extent of such conflict, repealed.

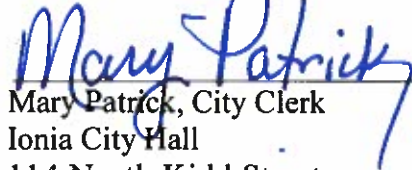
AYES: Milewski, Winters, Kelley, Lee, Starr, Millard, Waterman  
NAYS: None  
ABSTAIN: None  
ABSENT: Gustafson, Balice

RESOLUTION DECLARED ADOPTED

  
Mary Patrick, City Clerk  
Ionia City Hall  
114 North Kidd Street  
Ionia, Michigan 48846  
Telephone No: (616) 527-4170

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the City Council of the City of Ionia, Ionia County, Michigan at a regular meeting held on March 1, 2022, and that the public notices of said meeting were given pursuant to Act No. 267 of the Michigan Public Acts of 1976, including in the case of a special or rescheduled meeting notice of publication or posting at least eighteen (18) hours prior to the time set for the meeting.



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