

City of Fenton

301 South Leroy Street • Fenton, Michigan 48430-2196 • (810) 629-2261 • FAX (810) 629-2004

CITY OF FENTON SPECIAL MEETING COUNCIL AGENDA

Monday, July 17, 2017

City Hall Council Chambers

301 South LeRoy Street

6:00 PM

Call to Order.

Roll Call.

CITIZEN'S COMMENTS: IF YOU WISH TO ADDRESS ANY AGENDA ITEMS, PLEASE IDENTIFY YOURSELF AND YOU WILL BE CALLED ON WHEN THAT ITEM IS REACHED. COMMENTS ON ITEMS NOT ON THE AGENDA MAY BE MADE AT THE CALL TO THE AUDIENCE.

BUSINESS:

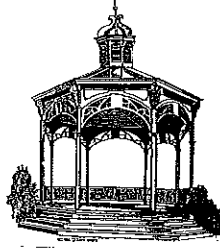
PUBLIC HEARING – Council will hold a public hearing to accept public comment on the proposed vacation of a portion of First Street. Pursuant to public comment, Council may take action to consider Resolution No. 17-12, which vacates a portion of First Street.

CALL TO AUDIENCE

ADJOURNMENT

IF ACCOMMODATIONS ARE NEEDED DUE TO A DISABILITY, PLEASE CONTACT THE CITY CLERK'S OFFICE.

Memorandum



THE CITY OF
FENTON

DATE: July 14, 2017

TO: Mayor Sue Osborn and City Council

FROM: Lynn Markland, City Manager 

RE: Vacation of Street and Sale of Property

We have been working on the sale of the property to the Fenton Hotel so they can construct an outdoor dining area. The property is a portion of the First Street and is no longer used as a street. In order to sell the property this portion of First Street needs to be vacated. The City Council needs to hold a public hearing and then vote on the vacation of this portion of the street. Attached is a resolution that has been prepared by the City Attorney for the City Council's consideration.

CITY OF FENTON

RESOLUTION TO VACATE A PORTION OF FIRST STREET

Resolution Number 17-12

At a _____ meeting of the City of Fenton City Council, Genesee County, Michigan, held at the City Hall Council Chambers, 301 South LeRoy Street, Fenton, Michigan, on the _____ day of _____, 2017 at _____ p.m., Eastern Daylight Time.

PRESENT:

ABSENT:

The following resolution was offered by _____ and supported by _____:

WHEREAS, the City of Fenton is empowered with the authority to vacate a street pursuant to City Charter Section 7.6, the Constitution of the State of Michigan 1963, art 7, § 29, and the Land Division Act, MCL 560.256; and

WHEREAS, the City of Fenton desires to vacate that portion of First Street described in the attached survey, attached as Exhibit A; and

WHEREAS, Fenton Corner, LLC, a Michigan limited liability company of 302 N. Leroy Street, Fenton, Michigan 48430, will enter into a Purchase Agreement to purchase the portion of real property that comprises the vacated section of First Street for a fair market value of Four Thousand Two Hundred Seventy and no/00 (\$4,270.00) Dollars; and

WHEREAS, the entire street right-of-way for this request will be vacated and may be combined with other parcels owned by Fenton Corner, LLC; and

WHEREAS, the City Council of the City of Fenton finds that the street right-of-way recommended for vacation has been determined not to be needed as a public right-of-way; and

WHEREAS, the Resolution was first introduced at a regular meeting of the City of Fenton City Council on the 26th day of June, 2017; and

WHEREAS, a public hearing was held regarding the Resolution on the ____ day of _____, 2017; and

WHEREAS, notice of the aforementioned public hearing was published on the ____ day of _____, 2017 being at least one week prior to the hearing; and

WHEREAS, the City Council of the City of Fenton has determined that it is necessary and in the best interest of the health, welfare, comfort and safety of the citizens of Fenton to discontinue the above street right-of-way as set forth in this resolution;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fenton, Genesee County, Michigan, as follows:

1. A portion of First Street within Lot 6, Block 1 of the Booth and Miles Northern Addition to the Village of Fentonville, as recorded in Liber 34B, Page 642, Genesee County, Michigan, and more specifically described in Exhibit A, is hereby vacated and discontinued as a public street, subject to the aforementioned Purchase Agreement requiring payment by Fenton Corner, LLC of Four Thousand Two Hundred Seventy and no/00 (\$4,270.00) Dollars.

2. The City Manager is authorized to sign any additional documents necessary to reflect this right-of-way vacation.

3. Upon receipt of evidence that the conditions set forth above are met, the City Clerk of the City of Fenton shall record certified copies of this Resolution with the Genesee County Register of Deeds and the director of the Department of Licensing and Regulatory Affairs.

4. All prior resolutions and parts of prior resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

Yeas: _____

Nays: _____

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
) ss
COUNTY OF GENESEE)

I, Renee Wilson, City Clerk of the City of Fenton, hereby certify this to be a true and complete copy of Resolution No. _____, duly adopted at a _____ meeting of the City Council held on the ____ day of _____, 2017.

Renee Wilson, City Clerk