

Memorandum



Date: June 2, 2026
To: Buchanan City Commission
From: Tony McGhee
Subject: Undeveloped Right-of-Way Vacation in Hobart Neighborhood

Background

The purpose of this memorandum is to recommend that the City Commission consider vacating certain undeveloped public right-of-way areas located in the Hobart Street and South Red Bud Trail neighborhood. These areas were originally platted for public use, but were never developed into streets, alleys, sidewalks, utilities, or other active public infrastructure.

A public right-of-way is land reserved for public use, most commonly for roads, sidewalks, utilities, or access. In this case, the City has identified several public right-of-way areas that were originally intended for potential public access, but have remained undeveloped and unused for that purpose. These areas are shown on the maps included with the neighborhood communication previously sent to affected property owners.

The City invited residents along Hobart Street and South Red Bud Trail to a neighborhood meeting to discuss the potential vacation of these undeveloped rights-of-way. The purpose of that meeting was to review the location of the areas being considered, explain what vacation would mean for adjacent property owners, discuss the process and timeline, and receive input before bringing the matter forward for formal City Commission consideration. From a staff perspective, the City is unlikely to ever develop these right-of-way areas. Developing them would require significant public investment, including the potential construction of roads, extension of utilities, stormwater improvements, engineering, legal work, and long-term maintenance. Given the location and configuration of the area, the cost of extending this infrastructure would likely far exceed any potential increase in tax base or utility revenue that could be generated as a result.

In other words, from a cost-benefit perspective, maintaining these areas as public rights-of-way does not appear to provide a practical future benefit to the City. The City would retain responsibility and potential liability for land that is not being used for a public

purpose and is not likely to be developed in the future. Vacating these areas would remove that ongoing responsibility while returning the land to more productive private use. The vacation would also provide a potential benefit to residents in the neighborhood by clarifying property boundaries and allowing adjacent property owners to address certain property line conflicts. In older platted areas, undeveloped rights-of-way can create confusion regarding maintenance responsibilities, access, ownership, and property limits. By vacating the unused right-of-way areas, the land would generally be divided between adjacent property owners, often along the centerline of the former right-of-way, unless otherwise determined through the vacation process.

This has the potential to help resolve or reduce some existing neighbor-to-neighbor property line issues in the area. While the City cannot resolve private disputes between property owners through the vacation alone, clarifying the status of these unused public areas may provide residents with a clearer path to addressing property boundaries, maintenance responsibilities, and future use of the land.

The proposed vacation is also consistent with good municipal property management. The City should periodically review undeveloped rights-of-way and public property interests to determine whether they continue to serve a public purpose. Where there is no realistic public use, and where the City is unlikely to make the level of investment necessary to develop the property, vacation can be an appropriate tool to reduce City liability, eliminate unnecessary maintenance concerns, and allow adjacent property owners to better use and manage the land.

Recommendation

Administration recommends that the City Commission approve the vacation of the undeveloped right-of-way areas shown in the attached materials, subject to any required legal review, public notice, reservation of necessary utility easements, and completion of the appropriate documentation.

Attachment A: Map of right-of-way areas for vacation and associated legal descriptions

Attachment A





Map of undeveloped Right-of-Ways around Hobart Street Neighborhood for Potential Vacating

DESCRIPTION OF PROPERTY

FOR

CITY OF BUCHANAN

Located in Section 35, T. 7 S., R. 18 W.

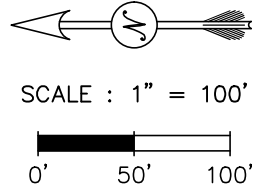
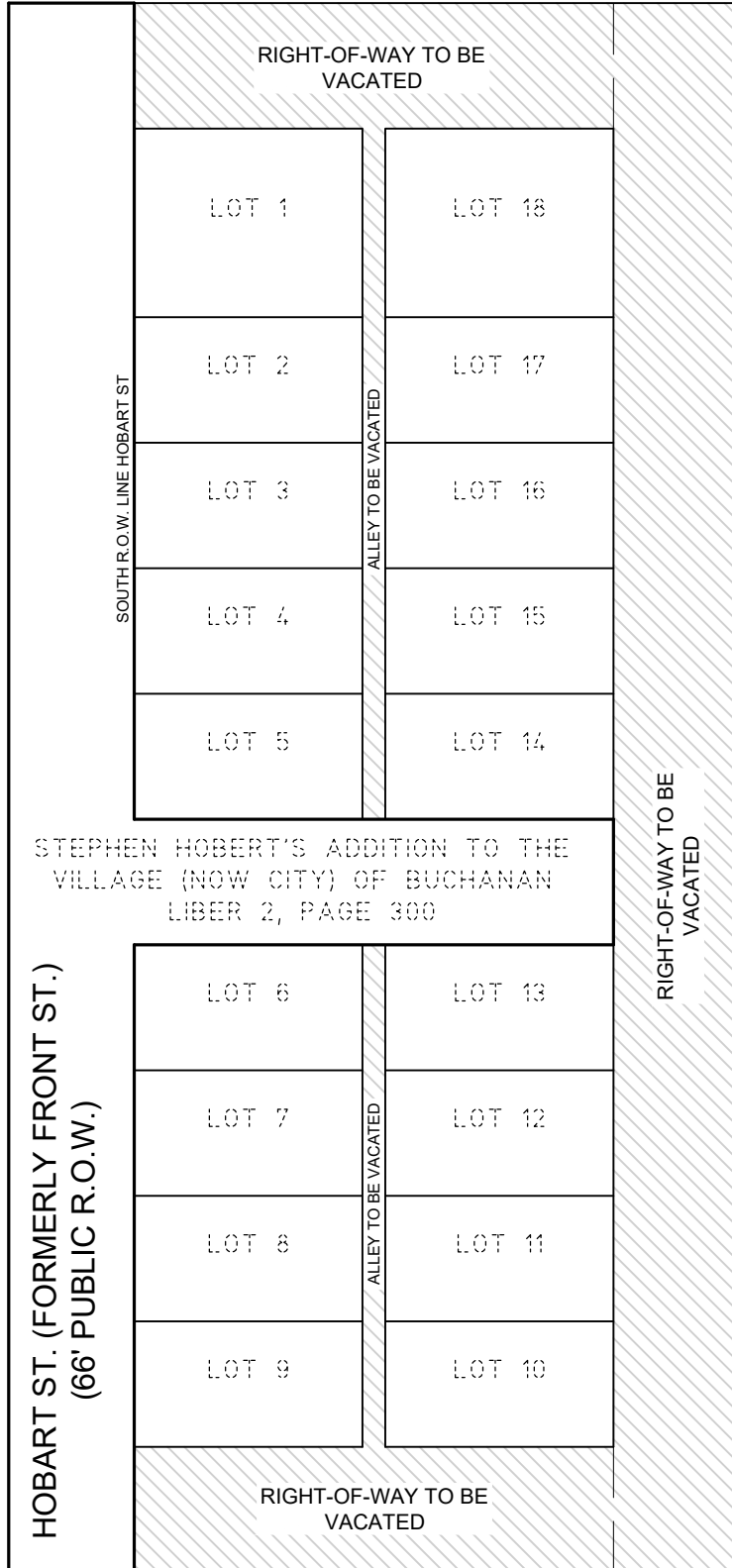
City of Buchanan, Berrien County, Michigan

Right-of-Way to be Vacated:

Part of Stephen Hobert's Addition to the Village (now City) of Buchanan, as recorded in Liber 2 of Plats, Page 300, Berrien County Records being more particularly described as: All that part of the Westerly Street right-of-way lying South of the Southerly right-of-way line of Hobart Street (formerly Front Street) and being West of Lots 9 and 10 and the adjacent Alley; All that part of the Easterly Street right-of-way lying South of the Southerly right-of-way line of Hobart Street (formerly Front Street) and East of Lots 1 and 18 and the adjacent Alley; All that part of the Southerly Street right-of-way lying South of the South line Lots 10 through 18 as extended to the East and West lines of said Plat and between the Southeast corner of Lot 13 to the Southwest corner of Lot 14; All that part of the Alley right-of-way lying South of Lots 1 through 5 and North of Lots 14 through 18; All that part of the Alley right-of-way lying South of Lots 6 through 9 and North of Lots 10 through 13.

EXHIBIT "A"

RIGHT-OF-WAY VACATION



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C:\GERTEN - 225099 - ROW Vacation\Hobert's Add.dwg - 6/5/14 - May 12, 2026 - 03:53pm

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LOCATED IN : SECTION 35
 TOWN 7 SOUTH, RANGE 18 WEST
 CITY OF BUCHANAN,
 BERRIEN COUNTY, MICHIGAN

Date : 05/12/2026
 Project No. 2250999

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