

**CITY OF LATHRUP VILLAGE
RESOLUTION REGARDING THE PARTIAL
VACATION OF PUBLIC ALLEY**

WHEREAS, the City of Lathrup Village, 27400 Southfield Road, Lathrup Village, Michigan 48076, is authorized by its Charter and the laws of the State of Michigan to exercise the powers of a City relating to the establishment and vacation of streets, alleys, public ways and other public places and the use, regulation, improvement and control of the surface of such streets, alleys, public ways and other public places; and

WHEREAS, the City Council has adopted Standing Resolution 82-102 on April 19, 1982, in which the City of Lathrup Village formally acknowledged its authority on behalf of the public over all streets, alleys, easements, parks and other public property and which Standing Resolution authorized the City Council by further resolution to alter or discontinue the use of such streets, alleys and easements; and

WHEREAS, the City Council has determined that the vacation of a portion of the Alley west of Southfield Road between W Eleven Mile Road and Sunnybrook Avenue and to schedule a public hearing thereon will benefit the adjacent properties and formalize the improvements made to the alley during the commercial redevelopment in 2006 and,

NOW, THEREFORE, BE IT RESOLVED, that the City of Lathrup Village Council does hereby declare the partial vacation of a public alley described as follows:

ALL OF A NORTH-SOUTH PUBLIC ALLEY, 20 FEET WIDE,
BOUNDED BY SUNNYBROOK AVENUE, SOUTHFIELD ROAD,
ELEVEN MILE ROAD AND MEADOWBROOK WAY LYING EAST
OF LOT 417 AND LYING WEST OF THE NORTH 2.5 FEET OF LOT
101 AND ALL OF LOTS 102 THROUGH 107, ALL INCLUSIVE OF
“LOUISE LATHRUP’S CALIFORNIA BUNGALOW SUBDIVISION”
PART OF THE SOUTHEAST ¼ OF SECTION 14, TOWN 1 NORTH,
RANGE 10 EAST, SOUTHFIELD TOWNSHIP (NOW LATHRUP
VILLAGE), OAKLAND COUNTY, MICHIGAN AS RECORDED IN
LIBER 31 OF PLATS, ON PAGE 28, OAKLAND COUNTY RECORDS
(As diagramed in Exhibit A)

BE IT FURTHER RESOLVED that the City of Lathrup Village reserves and retains forever an easement, over, under, above and through the entire portion of the aforementioned vacated rights-of-way for public utility and all other public purposes, including the right of ingress and egress over such easement for the installation, erection, maintenance, repair, relocation, removal and/or replacement of any sewer, water, gas, telephone, telegraph, telecommunications, electric light system, or equipment of things usually placed or

installed in a public right-of-way for use by the City and/or public utilities in a dedicated public street in the City, including any and all grading and/or paving of any passages of way.

BE IT FURTHER RESOLVED that any improvements and uses of the premises vacated as aforementioned shall be made at the property owners expense and risk and are subject to prior approval in writing by the City.

IT IS FURTHER RESOLVED that the Petitioners requesting vacating of the right-of-way shall be responsible for providing a legal description of the vacated public rights-of-way to be vacated in favor of any abutting property owner in a form to be approved by the consulting City Engineer and City Attorney for placement in any appropriate recordable document which may be requested hereafter.

IT IS FURTHER RESOLVED that the City Clerk be authorized and empowered to authenticate this Resolution and to be directed to furnish and record copies of this Resolution as required by statute.

This Resolution was made by Councilperson _____ and seconded by Councilperson _____.

This Resolution was adopted at a regular meeting of the City Council, City of Lathrup Village on _____.

Voted For: _____

Voted Against: _____

Absent: _____

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing is a true and complete copy of a Resolution passed at a meeting of the Lathrup Village City Council held on the 26th day of July, 2021.

Yvette Talley, CITY CLERK

Drafted by/return to:
Scott R. Baker, Esq.
Baker & Elowsky, PLLC
41850 West Eleven Mile Road, Suite 207
Novi, MI 48375

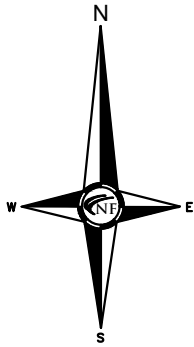
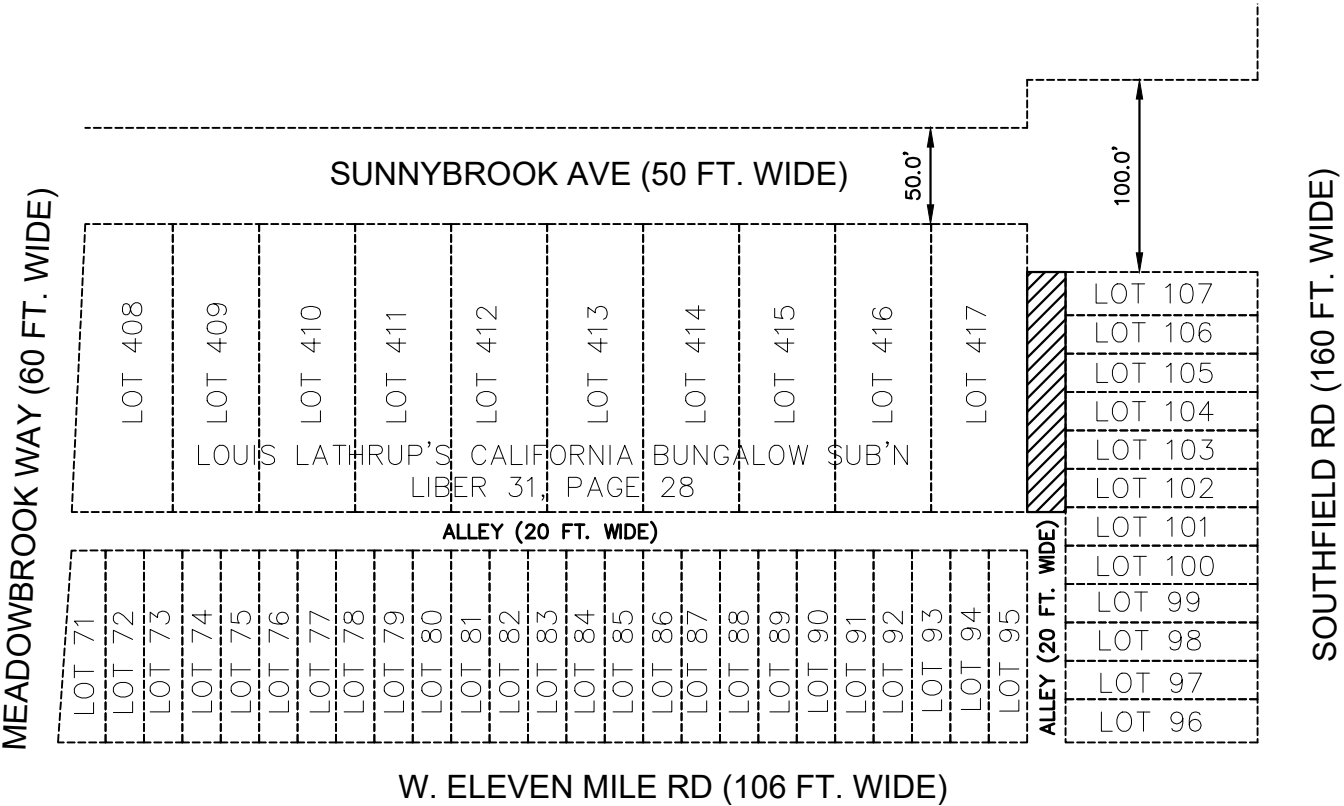


EXHIBIT A
ALLEY VACATION EXHIBIT

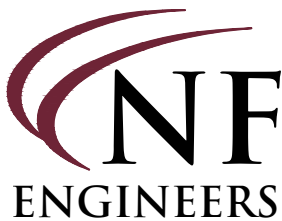


LEGEND

 = PROPOSED ALLEY VACATION

LEGAL DESCRIPTION - PROPOSED ALLEY VACATION

ALL OF A NORTH-SOUTH PUBLIC ALLEY, 20 FEET WIDE, BOUNDED BY SUNNYBROOK AVENUE, SOUTHFIELD ROAD, ELEVEN MILE ROAD AND MEADOWBROOK WAY LYING EAST OF LOT 417 AND LYING WEST OF THE NORTH 2.5 FEET OF LOT 101 AND ALL OF LOTS 102 THROUGH 107, ALL INCLUSIVE OF "LOUISE LATHRUP'S CALIFORNIA BUNGALOW SUBDIVISION" PART OF THE SOUTHEAST 1/4 OF SECTION 14, TOWN 1 NORTH, RANGE 10 EAST, SOUTHFIELD TOWNSHIP (NOW CITY OF LATHRUP VILLAGE), OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 31 OF PLATS, ON PAGE 28, OAKLAND COUNTY RECORDS.



NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257

SCALE	DATE	DRAWN	JOB NO.	SHEET
1" = 100'	05-27-2021	C.H.	M399	1 of 1