

Village of Cass City Proposed Ordinance No. 186

AN ORDINANCE TO AUTHORIZE THE SALE OF CERTAIN VILLAGE-OWNED REAL PROPERTY

The Village of Cass City ordains the approval to

1. Pursuant to the provisions of Chapter VII, Section 4 of 1895 P.A. 3, as amended by 1974 PA 67 and 1998 PA254 and 1998 PA 255 (M.C.L. 67.4, M.S.AA. 5.1288), the council of the Village of Cass City determines to make a private sale of the real property described on the terms and conditions herein set forth to Richard Patera, as purchaser.
2. Acceptance of Preliminary Agreement. The written offer to purchase dated January 9, 2019 and signed by the purchaser is accepted and the village president and village clerk are authorized and directed to sign the preliminary agreement on behalf of the village and to take the necessary steps to perform the obligations of the village. The officers and their successors in office are further authorized to sign contracts and deeds of conveyance as may be required pursuant to the preliminary agreement upon fulfillment of the preliminary agreement. The earnest money paid by the purchaser shall be deposited by the village treasurer for the account of the village pending closing of this sale.
3. **Description of Land.** The land hereby authorized to be sold is described as follows:

**A PARCEL OF LAND BEING IN AND A PART OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 4, T13N-R11E, NOVESTA TOWNSHIP, TUSCOLA COUNTY, MICHIGAN. DESCRIBED AS:
COMMENCING AT THE NORTH ¼ CORNER OF SAID SECTION 4; THENCE S02°37'01" E PARALLEL WITH THE NORTH-SOUTH ¼ LINE OF SAID SECTION 4, 877.96 FEET TO THE CENTERLINE OF THE CASS RIVER; THENCE S86°29'22"W ALONG THE CENTERLINE OF THE CASS RIVIER, 159.01 FEET TO THE NORTH-SOUTH ¼ LINE OF SAID SECTION 4; THENCE NO2°37'01"W ALONG THE NORTH-SOUTH ¼ LINE OF SAID SECTION 4, 875.52 FEET TO THE POINT OF BEGINNING. THIS PARCEL CONTAINS 3.2 ACRES OF LAND, SUBJECT TO EASEMENT, RESTRICTION, AND RIGHT-OF-WAY RECORD.**

Village of Cass City, Tuscola County, Michigan and more particularly described on attached Exhibit "1" which is incorporated by reference.

4. This ordinance shall be immediately effective upon publication in accordance with the law.

Introduction and First Reading: _____

Second Reading: _____

Public Hearing and Request for Adoption: _____

**RESOLUTION TO ADOPT AN ORDINANCE
TO AUTHORIZE THE SALE OF CERTAIN VILLAGE-OWNED REAL PROPERTY**

Minutes of a regular meeting of the Village of Cass City held at Cass City Municipal Building, 6506 Main Street, Cass City on Monday, April 29, 2019 at 7:00 pm.

PRESENT:

ABSENT:

RESOLVED BY: Village Council, Cass City, Michigan,

WHEREAS, the Village of Cass City is the owner of certain real property, situated in the Village of Cass City, County of Tuscola, State of Michigan, and legally described as:

**A PARCEL OF LAND BEING IN AND A PART OF THE WEST ½ OF THE
NORTHEAST ¼ OF SECTION 4, T13N-R11E, NOVESTA TOWNSHIP,
TUSCOLA COUNTY, MICHIGAN. DESCRIBED AS: COMMENCING AT THE
NORTH ¼ CORNER OF SAID SECTION 4; THENCE S02°37'01" E PARALLEL
WITH THE NORTH-SOUTH ¼ LINE OF SAID SECTION 4, 877.96 FEET TO
THE CENTERLINE OF THE CASS RIVER; THENCE S86°29'22"W ALONG
THE CENTERLINE OF THE CASS RIVIER, 159.01 FEET TO THE NORTH-
SOUTH ¼ LINE OF SAID SECTION 4; THENCE NO2°37'01"W ALONG THE
NORTH-SOUTH ¼ LINE OF SAID SECTION 4, 875.52 FEET TO THE POINT
OF BEGINNING. THIS PARCEL CONTAINS 3.2 ACRES OF LAND, SUBJECT
TO EASEMENT, RESTRICTION, AND RIGHT-OF-WAY RECORD.**

and more particularly described on attached Exhibit "1" which is incorporated by reference.

WHEREAS, the Cass City Village Council entered into a purchase agreement with Rich Patera (hereinafter "Purchaser") to sell the above-referenced property to the Purchaser for \$27,285.00 and intends on closing for the sale of the property to occur on or before **May 31, 2019**; and

WHEREAS, being duly informed and advised, the Cass City Village Council has decided to authorize **Deboria Powell, Village Manager**, to attend the closing and execute the warranty deed and any other documents to complete the closing on behalf of the Village of Cass City; and

NOW, THEREFORE, BE IT RESOLVED, that the Cass City Village Council hereby makes a record of its decision to authorize the Village of Cass City's sale of the above-referenced property to Rich Patera for \$27,285.00, and for the closing to occur on or before May 31, 2019. The Cass City Village Council further hereby makes a record of its decision to authorize Deboria Powell, Village Manager, to attend the closing and execute the warranty deed and any other documents to complete the closing on behalf of the Village of Cass City.

A resolution to adopt Ordinance # 186, amending the Village of Cass City Code of Ordinances:

was offered by Trustee _____ and supported by Trustee _____.

AYES:

NAYS:

ORDINANCE # 186 declared adopted / not adopted.

After publication, this ordinance shall be effective immediately.

President, Village of Cass City

Attested by:

Nanette S. Walsh
Clerk/Treasurer, Village of Cass City

CERTIFICATE OF SURVEY

CLIENT: VILLAGE OF CASS CITY
 STREET: 6506 MAIN STREET
 CITY: CASS CITY, MI 48726

PART OF THE NW 1/4 - NE 1/4, SEC 4	T13N-R11E	NOVESTA TWP.	TUSCOLA COUNTY
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NOTES:

1/2" STEEL STAKES WERE PLACED AT POINTS MARKED THUS (O). FOUND STEEL STAKES AT POINTS MARKED THUS (●).

BEARING BASIS:

BEARING ARE BASED ON THE MICHIGAN STATE PLANE COORDINATE SYSTEM, MICHIGAN SOUTH ZONE, HORIZONTAL DATUM (N.A.D.83), INTERNATIONAL SURVEY FEET.

GRAPHIC SCALE



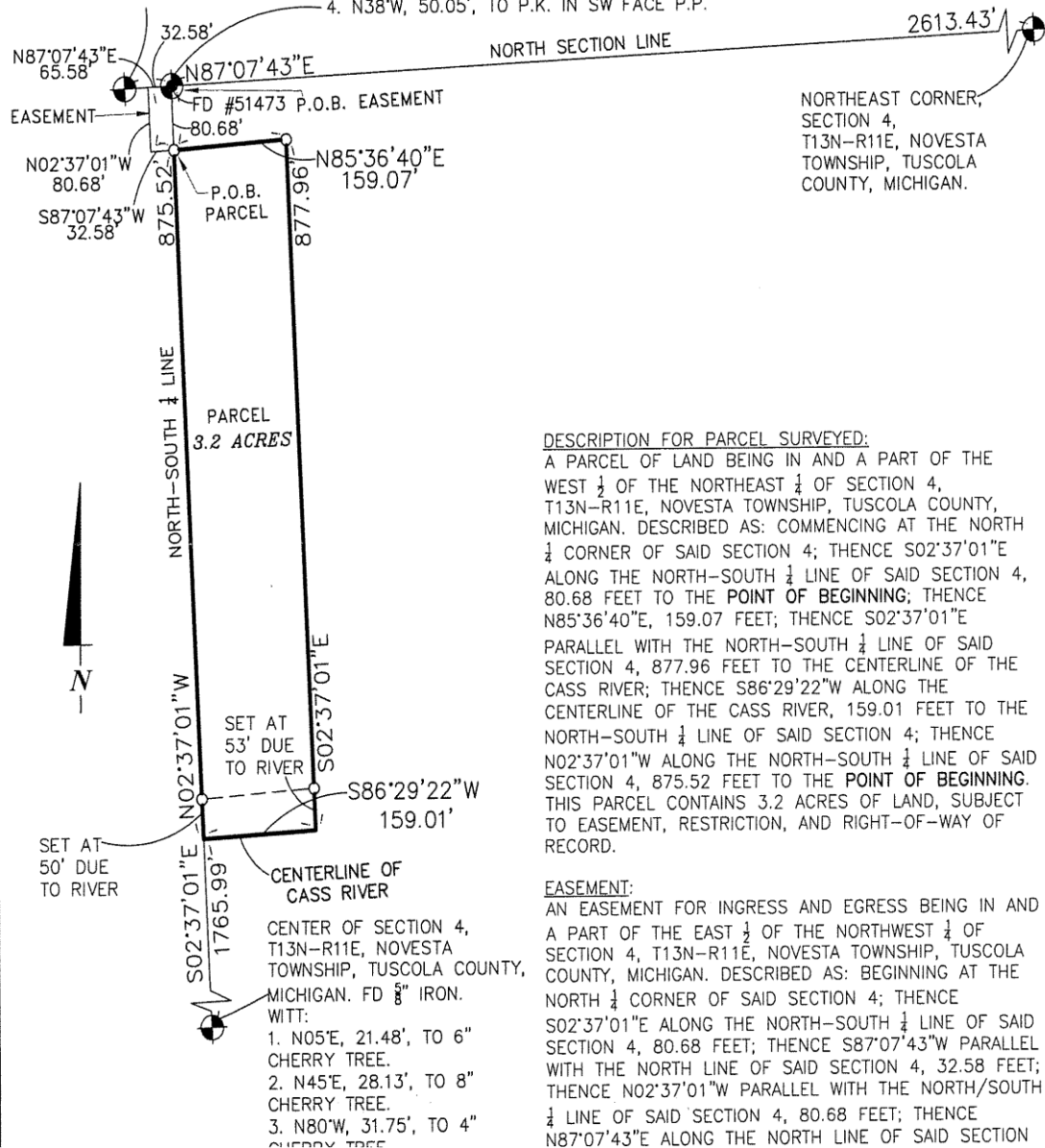
(IN FEET)

1 inch = 200 ft.

SOUTH 1/4 CORNER, SECTION 33, T14N-R11E, ELKLAND TOWNSHIP, TUSCOLA COUNTY, MICHIGAN. FD PK NAIL. AS RECORDED IN LIBER 1, PAGE 63 TUSCOLA COUNTY RECORDS.

NORTH 1/4 CORNER, SECTION 4, T13N-R11E, NOVESTA TOWNSHIP, TUSCOLA COUNTY, MICHIGAN. FD 1/2" CAPPED #46696 ON N. LINE AT RECORD DISTANCE FROM THE SOUTH 1/4 CORNER SEC 33, T14N-R11E, FROM A SURVEY DONE BY RUSSELL L. BROWN, PS #24588 DONE ON 12-18-2000.

- WITT:
1. EAST, 0.79', TO #57473.
 2. S10°E, 70.26', TO P.K. IN E FACE OF E LEG OF WWTP.
 3. WEST, 65.58', TO S 1/4 CORNER SECTION 33.
 4. N38°W, 50.05', TO P.K. IN SW FACE P.P.



DESCRIPTION FOR PARCEL SURVEYED:

A PARCEL OF LAND BEING IN AND A PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 4, T13N-R11E, NOVESTA TOWNSHIP, TUSCOLA COUNTY, MICHIGAN. DESCRIBED AS: COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 4; THENCE S02°37'01"E ALONG THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 4, 80.68 FEET TO THE POINT OF BEGINNING; THENCE N85°36'40"E, 159.07 FEET; THENCE S02°37'01"E PARALLEL WITH THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 4, 877.96 FEET TO THE CENTERLINE OF THE CASS RIVER; THENCE S86°29'22"W ALONG THE CENTERLINE OF THE CASS RIVER, 159.01 FEET TO THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 4; THENCE N02°37'01"W ALONG THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 4, 875.52 FEET TO THE POINT OF BEGINNING. THIS PARCEL CONTAINS 3.2 ACRES OF LAND, SUBJECT TO EASEMENT, RESTRICTION, AND RIGHT-OF-WAY OF RECORD.

EASEMENT:

AN EASEMENT FOR INGRESS AND EGRESS BEING IN AND A PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 4, T13N-R11E, NOVESTA TOWNSHIP, TUSCOLA COUNTY, MICHIGAN. DESCRIBED AS: BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 4; THENCE S02°37'01"E ALONG THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 4, 80.68 FEET; THENCE S87°07'43"W PARALLEL WITH THE NORTH LINE OF SAID SECTION 4, 32.58 FEET; THENCE N02°37'01"W PARALLEL WITH THE NORTH/SOUTH 1/4 LINE OF SAID SECTION 4, 80.68 FEET; THENCE N87°07'43"E ALONG THE NORTH LINE OF SAID SECTION

- CENTER OF SECTION 4, T13N-R11E, NOVESTA TOWNSHIP, TUSCOLA COUNTY, MICHIGAN. FD 5/8" IRON.
- WITT:
1. N05°E, 21.48', TO 6" CHERRY TREE.
 2. N45°E, 28.13', TO 8" CHERRY TREE.
 3. N80°W, 31.75', TO 4" CHERRY TREE.